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October 1-7, 2004

YOUR SOURCE FOR LOCAL NEWS, ARTS AND OPINION SINCE 1915

## Council bets on sales tax hike, nixes same on hotels

By MARY BROWNFIELD

INCREASING SALES tax in Carmel to 7.5 percent and better investing of the city's \$9 million in cash are the best means to add money to its coffers, the council decided last Thursday. Members also considered imposing a fee on construction trucks but first want to see if a similar proposal in Monterey can pass legal muster.

After narrowing their choices during two previous meetings, council members also fielded several other options Sept. 23: imposing a parcel tax, increasing permit fees, charging for parking in the north Sunset lot and for tour bus parking, capitalizing on cellular towers on city properties and by installing wi-fi, and seeking endowments and donations.

City administrator Rich Guillen advised the council that one option — a property transfer tax — was illegal. He also reported the city will begin charging for bus parking and parking at Sunset by November. Permit fees will be reviewed annually during budget talks, he added.

“Staff is asking you to narrow it [the list of possible moneymakers] down to one or two we can go into in much more detail and analysis for the council down the road,” Guillen said.

### No TOT hike... yet

The council declined to consider raising the transient occupancy tax, which upset residents circulating petitions to do just that. The idea was already discussed and abandoned at previous meetings because of its

See TAX HIKES page 13A

## New EIR's lesson: No good deed goes unmitigated

■ Pebble Beach Co. denied credit  
for 10 years of water savings

By PAUL MILLER

A REVISED Environmental Impact Report released last week on the Pebble Beach Co.'s latest development plans denies the company any credit for more than 2 billion gallons of water saved since it started using reclaimed water on its golf courses 10 years ago, even though the reclamation project was built for the specific purpose of freeing up potable water for development.

“After getting comments from the National Marine Fisheries Service, the consultant set a new baseline for water use, and it's the amount the company is using now, not the amount it used before the reclamation project was built,” said Alan Williams, who is spearheading the plan for a new golf course, equestrian center, 33 homes and approximately 160 new hotel rooms in Del Monte Forest.

“It sure tells you one thing: Don't do something beforehand, because you're just going to end up doing it again,” Williams said.

According to figures supplied by the Pebble Beach Community Services District, in the first nine years after an advanced treatment plant went into operation at the sewer district facility on the bank of the Carmel River, more than 6,000 acre-feet of reclaimed water have been used on the golf courses and other open space in Del Monte Forest. Before the reclamation project was built, 800 acre-feet of potable water were used each year instead. (An acre-foot is about 326,000 gallons.)

“We've still had to use some potable water, because the quality of the reclaimed water isn't quite what we hoped it would be, but the savings have still been a tremendous benefit for the environment and the river,” Williams said.

In the revised EIR — released Friday — the environmental consulting firm, Jones and Stokes, said the new development “would result in increased withdrawals from the Carmel River and Seaside basin aquifer relative to the current baseline.”

See EIR page 14A



PHOTO/PAUL MILLER

A Pebble Beach groundskeeper adjusted sprinklers spraying reclaimed water Thursday at Casa Palmero. In a new EIR, he company gets no credit for extensive use of recycled water.

## Federal attorney threatens to prosecute county over RSC

■ Rancho San Carlos ordered  
to get permit for something it  
says it isn't doing

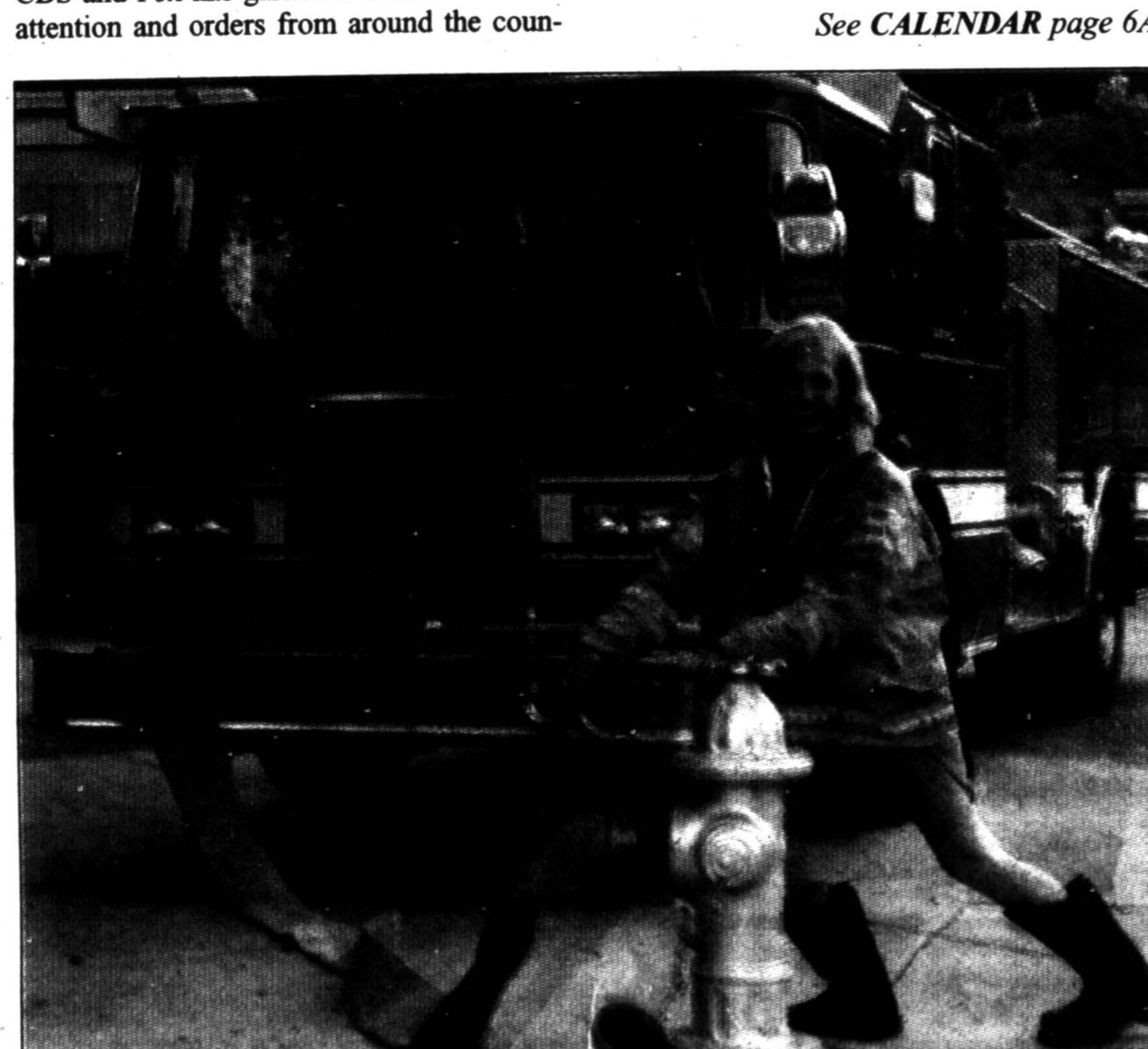
By PAUL MILLER

IN AN average year, about 53,000 acre-feet of rain falls on the 31 square miles of Rancho San Carlos that sprawl along the hills above Carmel Valley. According to hydrologists, most of that water percolates underground or flows unimpeded into the creeks and streams of the ranch on its way to the Pacific Ocean. Less than 1 percent of it is projected to be used on development proposed by the Rancho San Carlos partnership, which acquired the ranch in 1990.

But an attorney from the federal agency responsible for protecting steelhead trout in the Carmel River and its tributaries warned county planning commissioners Wednesday afternoon they might face prosecution for violating the Endangered Species Act if they approved the final, 29-lot subdivision at the ranch, because water used on the subdivision could reduce stream flows, even if by only a tiny amount.

“Our office of law enforcement has

See RSC page 15A



PHOTO/HELEN MACKINLAY

Carmel Fire Belle Mary Pankonin — a.k.a. Miss May — is one of the sirens featured in the calendar the women are selling to raise money for the firehouse retrofit.

2004

# CARMEL HERITAGE SOCIETY BESTOWS 'SPIRIT' AWARDS

By MARGOT PETIT NICHOLS

CARMEL HERITAGE Society's 2004 Spirit of Carmel Awards went to two Carmel-by-the-Sea homes and one garden. Honorable mentions were garnered by two homes, and the Sunset Center renovation

received a special Civic Preservation award. A public reception to honor the winners will be held from 5 to 7 p.m. on Monday, Oct. 4, at Sunset Center, Ninth and San Carlos. Those planning to attend should call Carmel Heritage Society's First Murphy House at (831) 624-4447.



One of two houses that received honorable mention in Carmel Heritage Society's recent contest is the Robert and Peggy Shapiro home on the northeast corner of San Antonio and Santa Lucia avenues.



PHOTOS/COURTESY CARMEL HERITAGE SOCIETY

The Chris and Ann Tescher home on Camino Real and Ninth, was one of two homes to win an award in this year's Carmel Heritage Society's "Spirit of Carmel" contest.

Award winners include Dr. Ronald H. Barr's home on Casanova, three southeast of Fourth Avenue; the garden of the Frank Lloyd Wright house on Scenic near Santa Lucia, owned by Mrs. Wellington Henderson; and the Chris and Ann Tescher

home at the southeast corner of Camino Real and Ninth. Honorable mentions were awarded to Robert and Peggy Shapiro's home on the northeast corner of San Antonio and Santa Lucia, and to Stephen and Charlene Rose's house at 2509 San Antonio.

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# Council OKs immediate limits on art galleries

By MARY BROWNFIELD

OBSERVING THAT the free market "doesn't seem to be working," Carmel City Councilman Erik Bethel added his vote to the majority Sept. 23 to immediately curb the opening of more art galleries downtown. The council had attempted to pass the 45-day urgency ordinance at an earlier meeting, but Bethel was absent and it failed to garner the required four-fifths majority.

The proliferation of art galleries in the 1-square-mile city has become a cliché among business owners, who quip that should they stop selling shoes or tomatoes or whatever, they will be replaced in a wink by a gallery selling paintings of shoes or tomatoes or whatever. Galleries have opened in place of downtown shops selling antiques, clothing and gifts, and the city recently approved a new gallery in the old Birkenstock store, according to principal planner Brian Roseth.

As he introduced the 45-day urgency ordinance, Roseth told the council, "Approximately one-third of all businesses in Carmel are art galleries. We get applications every month. A couple just came through last week, and in all but one case, they're displacing some other business that was not an art gallery before. We're losing our diversity."

Roseth explained that the urgency ordinance would immediately impose the restrictions already approved by the planning commission and city council in the Local Coastal Program, which is awaiting certification by the California Coastal Commission and is expected to be in place within a few months.

According to the LCP, new galleries will be allowed only in the core commercial district and will not be approved unless they have a working artist's studio or represent a single artist's work with at least 80 percent of their pieces.

In the past, galleries could open in the surrounding service commercial district and could feature many artists so long as they were not sold elsewhere in town.

"Most of the permits we are issuing fall into media or artists not offered by many other galleries," Roseth said, adding that now that provision is eliminated.

Linda Anderson, the only member of the public to speak at the hearing, urged the council to adopt the restrictions and impose a numerical cap on galleries similar to the limit on jewelry stores.

"I'm afraid the total will keep rising, but thank you for doing at least what you're doing," she said.



Erik Bethel

But caps are problematic because the number of businesses tends to remain at that limit, according to Roseth. Under the new rules, once a gallery closes in the service commercial district, it could not reopen.

"There's some feeling there are too many galleries now, and if we cap it at the current number, we may always have too many," he said. Setting a lower number would be difficult, he added. "I certainly wouldn't want to be the one to pick that number, and we wouldn't want to do that tonight."

## Free marketer no more

Bethel, a former Wall Street businessman who runs his own private investment company, said he generally believes consumers determine a business' viability.

"I've always been a supporter of free markets and have marveled at the number of galleries here," he said. "I thought if they didn't sell paintings, they would go out of business."

But Bethel said his research revealed many galleries operate on consignment, so their overhead mostly consists of rent

See **GALLERIES** page 15A

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## Police, Fire & Sheriff's Log

### Angry man brandishes butter knife at coworker

HERE'S A look at some of the significant calls logged by the Carmel-by-the-Sea Police Department, the Carmel Fire Department and the Monterey County Sheriff's Office last week. This week's log was compiled by Mary Brownfield.

SUNDAY, SEPTEMBER 19

**Carmel-by-the-Sea:** At Santa Fe and Third, observed a black male Lab with a silver choke collar and round yellow tag at large. Exited the patrol car and attempted to catch it, but it ran away. In the car, followed it all the way to Lincoln and Third, where it suddenly veered to the left and ran behind two houses. Later learned his house and back yard are on the

other side, on Dolores. At times, had to turn on emergency lights as the dog would run in and out of traffic. This dog has been at large before and the owner has been given several warnings. Due to this fact and the numerous complaints received from motorists and neighbors, a citation was issued for the CMC violation, dog at large.

**Carmel-by-the-Sea:** Female subject reported being involved in a verbal dispute with an on-again, off-again boyfriend while staying at La Playa Hotel. Female subject became jealous when her partner apparently flirted with a female employee of the hotel. The situation escalated to the point of getting into a verbal argument. The male subject threatened to take the female's car and left the hotel room. She called for the police and then found her car keys shortly afterward. The female advised there was no physical altercation between either party and that she was satisfied with the situation since the male had gone and she had possession of the keys to her car. No further

action requested.

**Carmel-by-the-Sea:** Engine 7111 and Ambulance 7166 responded to a medical emergency at a Junipero residence. Firefighters assisted ambulance crew with vitals, patient report information and loading of an elderly female who was feeling ill. Patient transported to CHOMP by ambulance.

MONDAY, SEPTEMBER 20

**Carmel-by-the-Sea:** Male reported his wife lost a bracelet somewhere south of Eighth Avenue on the west side of Mission.

**Carmel-by-the-Sea:** Subject planted flowers on 09-17 and noticed 14 plants missing on 09-19. The plants, begonias and nimias, were pulled intact from the dirt, leaving holes where the plants had been on Mission Street. According to the victim, several plant thefts have occurred but went unreported. Approximate value was \$50.

See **POLICE LOG** page 6B

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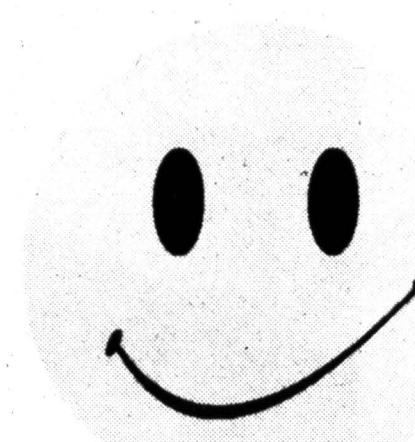
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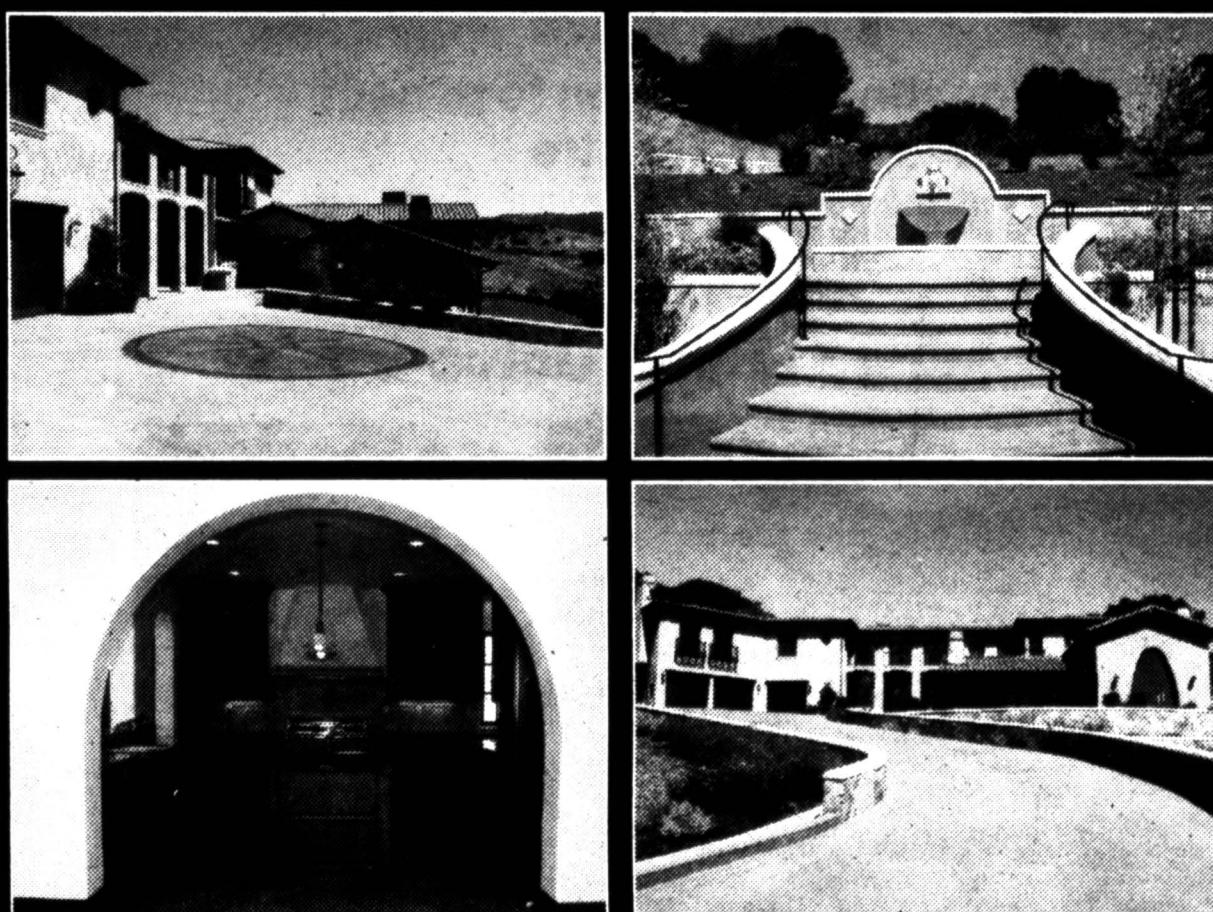


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# 'EXPLOSION' TENANTS HEARD WASN'T A BOMB

By MARY BROWNFIELD

TENANTS HAVE told investigators they heard the sound of an explosion at about the same time the fire alarm sounded at the Carmel Rancho Lane building Sept. 21, but the arson experts say there is no evidence a bomb or any other explosion started the \$250,000 fire.

"We still believe the fire was intentionally set, but we don't know how yet," said Curt Itson, arson investigator and battalion chief with the California Department of Forestry. "It may take weeks before the Department of Justice gets back to us with lab results."

Itson and 22-year veteran investigator Cliff Williams have been poring over clues at the source of the fire — the electrical room in the basement — for 10 days, and they have eliminated several accidental causes. It wasn't sparks from a power tool or a welder; no one was working and nothing was stored there that could have combusted spontaneously, and "the electrical panels don't look like they malfunctioned, although electricians are continuing to look at them," Itson said.

But he has some theories about the boom the tenants reported.

"The heavy metal doors leading to the

protected electrical room could have slammed. The fluorescent fixtures have plastic ends that burn quickly and when they fall, the popping bulbs can be quite loud."

Gallons of paint and other fluids had been stored on the stairwell next to the electrical room, but Williams said he does not yet know whether any of that flammable liquid was used to set the blaze. The fire destroyed the 100-square-foot electrical room and all its communications equipment, breakers and other components, which are being examined by engineers at the DOJ labs and probably at private labs as well.

"The insurance company will have an independent agency come in and do an investigation, too," Williams said. "We usually work quite well with them, and they have a lot more money to spend than we do."

Investigators have been interviewing dozens of people present when the fire occurred or otherwise linked to the scene and have more to track down. Owned by Susan Stilwell, the two-story building houses the offices of American Medical Response — the county's ambulance service provider — real estate agencies, financial businesses, a graphics firm, a rental agency

See ARSON page 16A

MEET THREE GEMS JEWELRY DESIGNER MAGGIE FERRARI ROWLAND AS SHE PRESENTS HER FALL 2004 COLLECTION, OCTOBER 1 AND 2 FROM 10 TO 6. ON THE UPPER LEVEL, SAKS NORTH. LABRADORITE NECKLACE WITH CHINESE LOCK, \$1125.



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## CALENDAR

From page 1A

was threatened when city administrator Rich Guillen and city attorney Don Freeman told Ross she must cease and desist using Carmel city buildings, fire trucks or even the name, "Carmel-by-the-Sea," in her calendar photos. They have since backed off on the name objection. But citing possible exposure to sexual harassment or gender discrimination lawsuits, they continue to say city hall will refuse any money raised from calendar sales.

"Perhaps Rich, Don and [Mayor] Sue [McCloud] should have come to the event to better acquaint themselves with the spirit of Carmel citizens," Ross said.

The group will hold another signing party at the

Thunderbird Bookshop Sunday, Oct. 10, from 1 to 2:30. In the meantime, calendars are selling quickly at local stores, including The Treadmill and Power Juice in the Crossroads, Thunderbird, Copies by The Sea, Adam Fox, Carmel Valley Coffee Roasting Co., Carmel Valley Video and Carmel Video, Nielsen Bros. Market and the Nancy Dodds Gallery. The group printed 2,500 copies.

"We have plenty. I don't think we'll run out, but I hope we do," Ross said moments after taking an order from a Sacramento man who heard about the brouhaha from his daughter, who saw the newscast about the calendar in Texas.

"The more controversy, the more calendars we're selling," said Ross, adding that the Calendar Girls will probably do "some high-profile dramatic something-or-other when it's time to give [the city] the money."

Freeman, who has said the women are lovely, their cause noble, and their intentions honorable, believes the money they raise is outweighed by the city's risk of a sexual harassment or workplace discrimination lawsuit which could cost 10 times as much.

## Cutino scholarship fund at MPC

A SCHOLARSHIP to honor the memory of one of the Peninsula's most famous sports figures, Peter Cutino, is being established at Monterey Peninsula College.

"A group of his friends from when we were kids told me they want to help set it up," said Cutino's brother, Bert, co-owner of the Cannery Row Company.

Peter Cutino died Sept. 19 at age 71. A native of Monterey, he attended Monterey High and MPC and later became water polo coach at UC Berkeley for 26 years, where he won eight NCAA championships and was Coach of the Year 17 times.

The memorial fund, which will help educate scholar athletes of the future, already has raised \$8,000, including a \$1,000 gift from Monterey County Bank. "We want it to be a perpetual fund for aquatic athletes, or maybe Sportsman of the Year — something like that," Bert Cutino said.

Contributions may be sent to the Peter J. Cutino Scholarship Fund, P.O. Box 2194, Monterey, CA 93924.

## Today's Real Estate

by MAUREEN MASON  
Certified Residential Specialist



### Identity Theft

It happens. You had it at Macys, but it was gone when you got to Costco. Now what? (Identity theft cannot only steal your money, time and emotional balance; it can also make a mess of your credit report when you apply for your next mortgage loan.)

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2. Step one, if your wallet is missing, is to think where you've been. Then, you go looking, retracing steps, asking clerks in stores, etc.
3. If you find nothing, pull all the relevant credit card telephone numbers out of your home safe and call them. Tell them, if possible, the most recent purchase amount you made with the card. They will probably put your account on alert, or perhaps cancel your account and give you a new one within 24 hours.
4. As soon as possible, drop by the Department of Motor Vehicles, armed with things like a birth certificate, a passport, or a marriage license to prove who you are.
5. File a report with the police.
6. Call one of the credit reporting agencies (like Experian). It will notify the other major agencies after deciding what sort of alert to attach to your credit files.

Take a deep breath. The trauma will soon pass. For help with real estate, call Maureen at 622-2565 and visit her website at [www.maureenmason.com](http://www.maureenmason.com).

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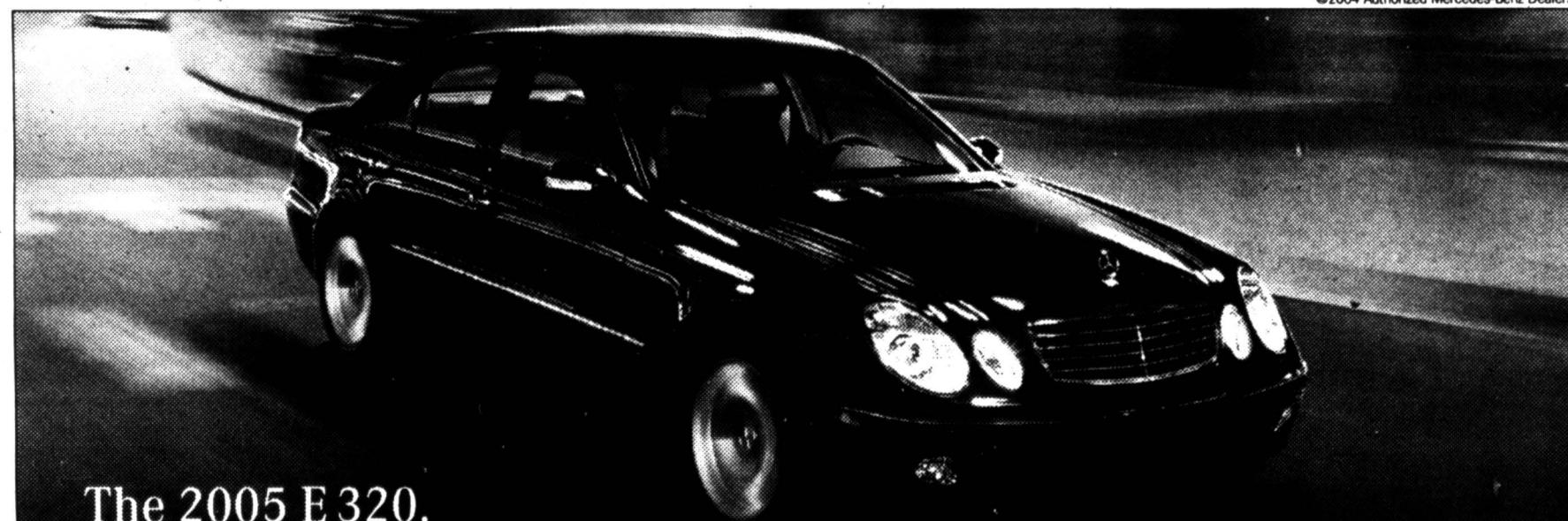
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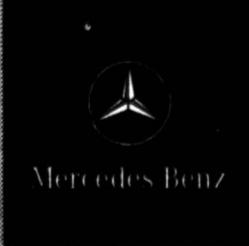


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# Selling city land not so easy

By MARY BROWNFIELD

**SELLING CITY** property, as well as buying it, will be the topic of an Oct. 7 combined meeting of the Carmel City Council, planning commission and forest and beach commission.

Decision makers will review a list of city-owned lands, their existing and potential uses and the community's needs, and establish priorities for selling and buying property.

At a Sept. 23 council meeting, principal planner Brian Roseth explained that although the sale of city property has often been discussed — and progressed as far as hiring a real estate agency for advice on selling Flanders Mansion — "the sale of public property is an involved process." He said before the city decides to sell any specific property, it should "establish some priorities for how any funds raised would be used."

The dollar amount needed for capital improvements and deferred maintenance — \$13 million — includes \$1.34 million for four "critical" street repair projects, \$2.25 million to fix the roof of the public works complex on Junipero, \$410,000 to upgrade the Forest Theater and \$400,000 to retrofit the firehouse.

"Are there things we ought to be funding with one-time revenues?" Roseth asked. "Are property sales an appropriate way of raising one-time revenues? And of the things that might be funded, is there a short list?"

He also suggested money from the sale of property could be used to reduce debts. This year, the city will pay \$793,432 in principal and interest on Rio Park, Vista Lobos and Sunset Center loans.

Council members agreed more money needs to be spent on fixing city property than the 3.5 percent of the budget allocated to it each year. They also acknowledged money is short for those repairs and multiple sources — including selling property — will be needed to cover the costs.

But there is a vocal group of Carmelites passionate about not selling any city assets. Roberta Miller represented one such group, the Flanders Foundation, and was the only member of the public to comment at the meeting.

"We believe the council should make the hard decisions required to develop long-term dependable revenue sources to place the city on a sound financial footing, rather than sell precious historic and open space ... for a short-term gain," Miller said.

"We're going to have to sell some city property," councilman Gerard Rose responded. "It's a tough answer, but it's the only answer that makes sound fiscal sense."

Councilman Erik Bethel said the city's infrastructure is a top priority.

"We have many streets in disrepair," he commented before asking city administrator Rich Guillen about sources of money for road work. But grants — another word for state or federal tax dollars — won't be enough.

"We would never be able to meet the needs of deferred maintenance through grants. Those continue to shrink," Guillen said. "If we continue on this path, we'll never be at the point where we have all our roads fixed."

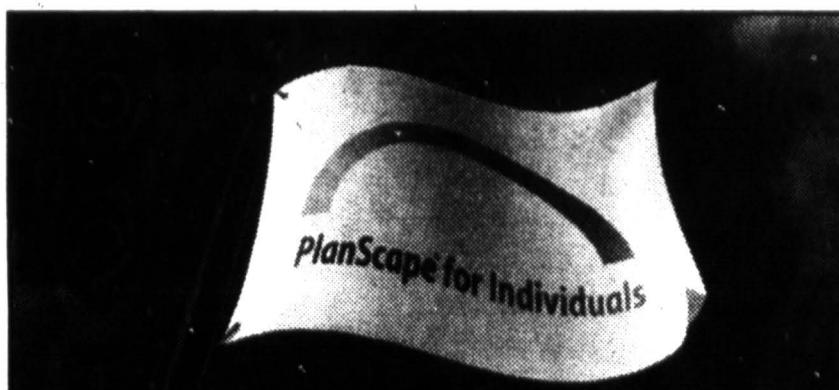
Councilwoman Paula Hazdovac added that as repairs are delayed, they become more expensive.

The council highlighted top priorities as:

- the firehouse retrofit;
- ADA and other improvements at the Forest Theater;
- roof repair at the public works building; and
- repair of storm drains and roads.

They also asked Guillen to determine how much money could be saved by paying off loans, including prepayment penalties. He said CPA Paul Wood and treasurer Charles Reiman will provide that information.

The special joint meeting of the city council, planning commission and forest and beach commission will begin at 3:30 p.m. on Thursday, Oct. 7, in Sunset Center's Carpenter Hall on the west side of Mission Street, south of Eighth.



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Sunday, Oct. 3rd

WORLD COMMUNION SUNDAY.

World Communion offering to be received.

The Rev. Charles Anker, former pastor, will preach on  
**"Thinking Outside the Box"**

talking about rebuilding the church pipe organ in 1991.

Very special organ music planned by  
Marshall Carpenter, church organist.

Sunday, Oct. 10th

Pastor Norm Mowery's sermon will be  
**"Living Better While Feeling Worse"**

based on 2 Cor. 9:6-15

Sunday, Oct. 17th

**"Walls Tumbling Down - 1984-1994"**  
is the subject for Dr. Norm Mowery's ninth decade sermon  
in his Centennial series. People who have joined the church  
this year will be recognized. During the service, Dr. Mowery  
will interview Mrs. John(Ulli) Carley about the Centennial  
book she has compiled. The book will go on sale  
following the service.

Sunday, Oct. 24th

While Dr. Norm Mowery preaches on  
**"Celebrating Creativity"**

artist, Robert Lustig, will paint.

An Art Show and sale will follow the service.

Sunday, Oct. 31st

Pastor Dr. Norm Mowery will deliver his final 'decade  
sermon', the tenth in his series of Centennial messages,  
**"Living in the Now" - 1994-2004**  
(Remember! Daylight Saving Time ends.)

Rev. Norm Mowery, Pastor  
Carmel's Neighborhood Church for 100 Years  
Services are at 10:00 am  
Lincoln between Ocean & 7th, Carmel  
624-3550 [www.churchofthewayfarer.com](http://www.churchofthewayfarer.com)

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Contemporary Worship Service at 9 AM  
Adult Class at 9 AM Traditional Service at 10:30 AM  
Children and Youth Sunday School at 10:30 AM

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**The Church of the Wayfarer**  
(A United Methodist Church)  
Lincoln & 7th, Carmel-by-the-Sea  
Adult Classes Sunday 9 AM • Children's Sunday School 10 AM  
**Sunday Worship 10 am**  
"Carmel's Neighborhood Church for 100 Years"  
624-3550 • [www.churchofthewayfarer.com](http://www.churchofthewayfarer.com)

**Carmel Mission Basilica**  
Sat. Mass: 5:30PM fulfills Sunday obligation.  
Sun. Masses: 7:00AM, 8:00AM, 9:30AM, 11:00AM, 12:30PM & 5:30PM  
Confessions: Sat. 4:00 to 5:00  
Days before First Friday and Holy Days: 4:00PM to 5:00PM  
Mass at Big Sur: Sundays at 10:30 AM  
Rio Road, Carmel

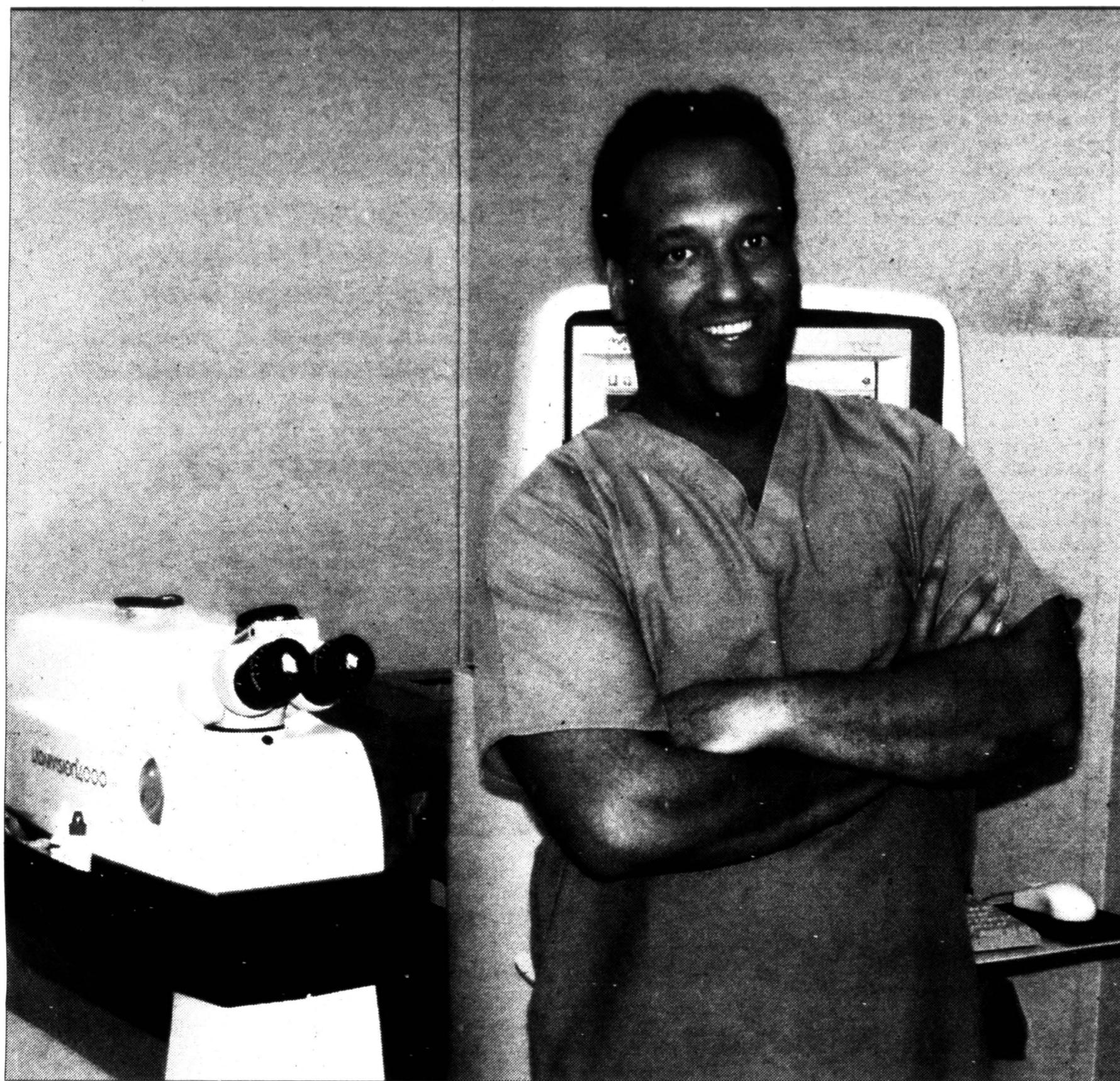
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# All-laser LASIK provides an entirely new level of safety and precision



**Dr. Gary M. Kawesch** stands before the Alcon Ladarvision 4000 ExcimerLaser which he uses at both his San Jose and Pleasanton locations.

Laser eye surgery is increasing in popularity, with over 4 million procedures done in the U.S. It is a procedure that is remarkably successful, but when there are complications, it is most often related to the part of the procedure that's not done with a laser.

LASIK, short for laser-assisted in-situ keratomileusis, consists of two basic steps. First, a flap is created, then after folding back the flap, the exposed corneal bed is reshaped with a laser. The cutting of the flap traditionally involves a very accurate steel blade mounted in a surgical instrument called a microkeratome. The blade oscillates back and forth rapidly, and travels across the cornea, to cut a very thin flap in the cornea. Based on a carpenter's plane, this instrument has changed little in over 30 years.

While rare, complications can occur with LASIK, and they are

primarily related to the creation of the flap with the microkeratome—the first step of the LASIK procedure. Tremendous improvements and refinements have already occurred with the second stage of the process, the actual sculpting of the cornea with a laser (see related story).

Dr. Gary Kawesch, a laser vision correction specialist well-known throughout the Bay Area, has now brought new technology to the Bay Area to help make the creation of the flap with LASIK a safer and more precise process. It involves the use of a laser, called the IntraLase femtosecond laser, and it eliminates the need for a doctor to make the initial cut in the cornea with a blade. "With the new machine, we can now perform the entire LASIK procedure with lasers. The obvious advantages of a flap created with IntraLase are that with the computer-

controlled laser, there is little to no possibility of thin, irregular, incomplete or 'free' flaps. The thickness and size of the flap can now be truly customized for each patient," according to Dr. Kawesch.

The IntraLase technology consists of an infrared laser with a very short pulse (femtosecond means a quadrillionth of a second), and advanced IntraLASIK software used to create a corneal flap at a pre-programmed depth and position. The laser uses 3-micron spots of energy to cleave the corneal tissue at the predetermined depth, forming bubbles of water and carbon dioxide at that plane. These bubbles connect to form a smooth surface that will become the interface of the flap. The laser energy neither alters the corneal curvature nor affects the prescription. At the edge of the flap, the laser can

create custom-tailored vertical edges. With uniform thickness and vertical edges (like a manhole cover), there is less chance of flap slippage or wrinkling if accidentally bumped or rubbed during the healing period.

The real benefits of IntraLase become evident when patients have unusually thin corneas. The IntraLase allows the surgeon to more reproducibly create thin flaps, which in thin corneas leaves more cornea tissue underneath the flap available for sculpting with the excimer laser during the second stage of the treatment. Going too deep in a thin cornea can lead to a problem called ectasia, or a destabilization of the corneal structure.

*For more information, contact the Laser Eye Center of Silicon Valley at 408-984-1010 or on the web at: [www.2020eyesite.com](http://www.2020eyesite.com)*

Patients with steep and flat corneas tend to benefit from this new technology as well. Steeply curved corneas tend to produce very thin and often irregular flaps with a traditional blade-created flap. Flat corneas tend to produce small diameter flaps, which will not allow the full area of the laser sculpting to "fit" underneath it. If the flap is very small in diameter, there will be no hinge, known as a "free cap." The IntraLase eliminates these potential problems.

Additionally, according to Dr. Kawesch, the IntraLase may help reduce one other potential risk of LASIK surgery—dry eyes. Dryness can result from surgery, when the corneal nerves are severed with the microkeratome during the cutting of the flap. A blade-based microkeratome does not travel in a single layer of the cornea—it tends to cut thicker peripherally and thinner

centrally. Traversing across different layers of the cornea, the blade has the potential to cut more nerves and cause more dryness. The IntraLase creates a planar flap—the corneal layers are more separated than cut—and fewer nerves are involved. "In the first 400 eyes I've done with IntraLase, I've seen significantly fewer dry eye complaints than I have with microkeratome-based surgery," notes Dr. Kawesch.

All this technology comes at a price, though. The IntraLase laser costs \$400,000, and there is a hefty fee paid to the IntraLase manufacturer by the surgeon every time it is used. However, Dr. Kawesch feels strongly that with added safety and peace of mind that comes with the elimination of the blade, patients will appreciate the new option now available.

## Pros:

### Flap thickness and diameter is programmed on the computer and is very predictable & adjustable

- Flap thickness can vary  $\pm$  5 microns
- Flap thickness is consistent across the flap diameter
- Flap diameter is very predictable

### Accuracy is particularly beneficial for patients with

- Thin corneas preoperatively
- High degrees of correction
- Large pupil dilation at night

### Safer, fewer complications with risk to visual result

- No significant epithelial injury or damage
- No free flaps
- No partial flaps
- No thin or thick flaps
- No buttonhole flaps
- No perforation of the eye

### Result is either a "perfect flap" or "no flap"

- Serious vision threatening complications not seen

### More comfortable

- Low vacuum
- No sound during procedure

### More accurate visual results for some corrections

## Cons:

### Eyes can be "red" for a few days

### Visual recovery can be slower

### Surgery costs are slightly higher



**Alcon's Ladarwave 4000** brings a new level of precision to refractive surgery.

Within a few short months of its introduction, the newest type of LASIK--wavefront-guided surgery--has become the most common choice of procedure amongst patients, according to Dr. Gary Kawesch, surgeon at the Laser Eye Center of Silicon Valley. Dr. Kawesch attributes this to the increased accuracy, reduced risk of side effects, and overall better visual quality patients are likely to receive.

Wavefront technology improves upon the second step of the LASIK procedure, the actual sculpting of the cornea with an excimer laser, to correct refractive errors such as nearsightedness and astigmatism. Since 1995, lasers have been used to treat these basic focusing problems of the eyes. And for centuries before that, eyeglasses have been used to cor-

rect vision. The first eyeglasses, developed in the 13th century, corrected only spherical refractive errors (nearsightedness). Eyeglasses to correct astigmatism (which is a focusing problem typically caused by a non-round or egg-shaped cornea) were not invented until 1827, since astigmatism was not well understood prior to then. So for hundreds of years, people with both nearsightedness and astigmatism wore glasses to correct only the nearsightedness, leaving the vision only partially corrected. For the last 175 years, glasses have been able to more completely correct people's vision. In the last ten years, major advances have been made in the field of "adaptive optics," which measures micro-irregularities in optical systems like telescopes. It became immediately

apparent that eyes, like telescopes, are simply optical systems that have these same micro-irregularities, known as aberrations. Everyone has aberrations in their eyes--we just haven't been able to measure them before. With wavefront technol-

were so good that in October 2002, Alcon Laboratories gained approval for their LADARVision/LADAR Wave platform--the first manufacturer of wavefront LASIK equipment to gain approval for use in this country. Since

*"Approximately 95% of eyes are achieving 20/20 vision or better, compared to approximately 75-80% with 'traditional' LASIK techniques."*

ogy, we can now measure and correct these aberrations, which have been previously untreatable with glasses. Just as the correction of astigmatism with glasses became available in 1827 and increased the quality of people's vision, wavefront-based surgical corrections can now raise the bar of visual quality.

Since 1999, the FDA has been overseeing clinical studies on wavefront-guided LASIK in the US. The results

then, two additional manufacturers Visx and Bausch & Lomb have gained approval for their equipment.

With wavefront-guided LASIK, a device called an aberrometer measures the pattern of light emerging from the patient's eye, and mathematically determines how this pattern deviates from "perfect" optics. Every eye has a unique pattern which is completely individual, like a fingerprint. This information is then passed to

## Wavefront technology improves upon the second step of the LASIK procedure

a computer that controls the laser which sculpts the cornea. A profile of the "perfect" sculpting needed to correct the vision is then created by the computer and the laser delivers this energy to the cornea, under the corneal flap.

The potential advantages of wavefront LASIK include a greater chance of achieving 20/20 vision, a greater chance of achieving better than 20/20 vision, a reduced chance of losing best-corrected vision, a reduced chance of losing visual quality or contrast sensitivity, and a reduced chance of night-vision disturbances and glare (as compared with traditional LASIK).

Wavefront guided surgery might be a useful tool to enhance or fine-tune the vision in patients who have undergone earlier forms of vision correction

surgery, such as RK, LK and PRK. "Sometimes patients complain about quality of vision problems, such as not being able to see in dim or low light. This is referred to as poor contrast sensitivity. These patients may see 20/20 on the eye chart, but the quality of the vision is not as ideal as the patient would like," explained Dr. Kawesch.

"Prior to the advent of wavefront measurements, there wasn't anything we could do to measure or treat higher-order aberrations. With this technology breakthrough, we can now

measure these disorders, show the patient what's going on in their eye, link that information to the laser, and actually correct higher-order aberrations that diminish contrast sensitivity.

Wavefront technology enables the surgeon to improve overall vision quality better than in the past."

Results of wavefront LASIK have been extremely good, according to Dr. Kawesch.

"Approximately 95% of eyes are achieving 20/20 vision or better, compared to approximately 75-80% with 'traditional' LASIK techniques. And, surveys of our patients reveal 50% of patients reporting higher quality night vision than they have ever had before, with 48% reporting no change in night vision, and only 2% reporting a decline in the quality of night vision."

Dr. Kawesch is quick to add, "Of course, wavefront-guided LASIK is still surgery, and no surgery is guaranteed. There are factors which make the procedure less than 100% predictable, such as healing differences among different patients. However, wavefront clearly adds to the overall accuracy of what we are trying to achieve."

With advances like wavefront, there is little doubt that LASIK, already the most commonly performed elective surgery in the US, will further increase in popularity.

**For more information, contact the Laser Eye Center of Silicon Valley at 408-984-1010 or on the web at [www.2020eyesite.com](http://www.2020eyesite.com)**

**Laser Eye Center of Silicon Valley Medical Clinic, Inc.**

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CUCINA E PANETTERIA

# Jade Fest recalls green monster from the deep

By CHRIS COUNTS

BIG SUR'S eclectic arts culture will be on display next weekend when musicians, artists and rock hounds gather at Pacific Valley School on Highway 1 about 65 miles south of Carmel for the 13th Big Sur Jade Festival.

The jade found along the coast in southern Monterey County has long captured the imagination of locals and visitors. Beachcombers descend in droves to Jade Cove when the tide is low to hunt for raw specimens of the unique, blue-green mineral.

"Jade is the jewel of Big Sur," explained Kenny Comello, festival chairman and a 35-year South Coast resident. "It has a timeless quality."

Nearly every gift gallery from Ragged Point to the River Inn sells necklaces and rings made from the dazzling stones.

"People want to take a piece of Big Sur home with them," explained Francesca Mellinger, co-owner of Local Color, an art and gift gallery in Big Sur. "I can't think of any natural resource that has a greater effect



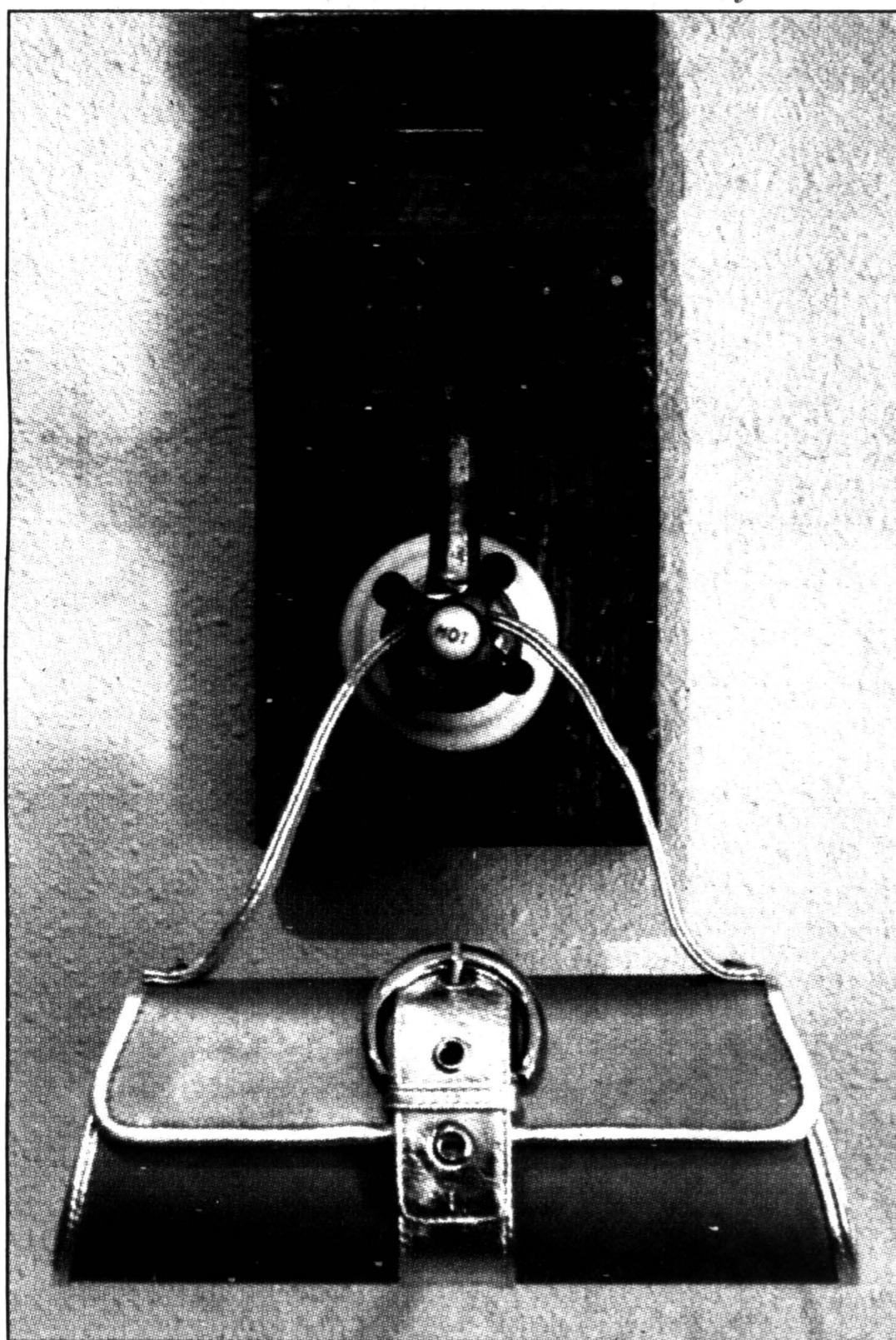
PHOTO/CHRIS COUNTS

Jade, the jewel of Big Sur, will be showcased in the works of 45 artists at the Jade Festival Oct. 8 to 10 at Pacific Valley School.

on our community."

Jade is more than just a big part of Big

See **JADE** page 25A



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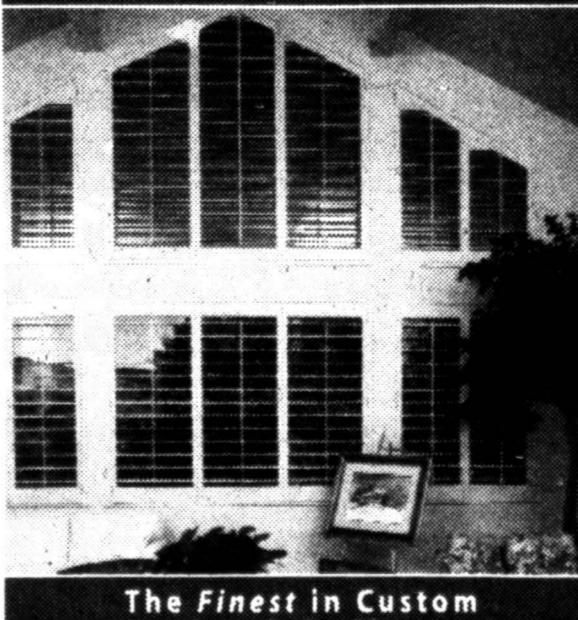
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## Amuse bouche

By MARGOT PETIT NICHOLS

ONE of our very favorite Carmel-by-the-Sea restaurants, **L'Escargot** (the restaurant formerly known as Loutas), is offering a four-course *prix fixe* **Bistro Menu** for

There are six appetizers to choose from (for instance, Maine mussels steamed with shallots and cream, caramelized onion and Sonoma goat cheese) and a selection of six entrees (chicken with black truffle-Madeira cream, sole *d'or* with lemon-caper *beurre blanc*); six desserts (poached pear with vanilla ice cream and Merlot syrup, *tart* with cinnamon ice cream) — plus a cheese course.

Chef Kerr Loutas is a true *extraordinaire*, and it's clear that he's a grand son and restaurateur, who comes from the kitchen to sit by your table to say hello in the tradition of French chefs.

Personable server **Jamal** is the son of Chef **Ed Nafei**, who is currently wowing them in the dining room at Hacienda del Nafel. Nafel learned his



PHOTO/MARGOT PETIT NICHOLS

Chef Kerr Loutas cooks nightly at his country French restaurant, L'Escargot, at Mission and Fourth.

## Come try our new Bistro Menu

Choose one plate from each group:

### APPETIZERS

Buffalo Mozzarella with Sliced Tomatoes & Basil and Balsamic Vinaigrette  
Fresh Maine Mussels Steamed with Shallots and Cream  
Proscuitto, Tuscan Salami, White Bean Salad, Arugula, and Olives  
Bibb Lettuce and Hearts of Palm Salad  
Caramelized Onion and Sonoma Goat Cheese Tart  
Sausage and White Bean Soup

### ENTREES

Filet Mignon with Wild Mushrooms & Wine Merchant's Sauce (+4.00)  
Chicken with Black Truffle-Madeira Cream  
Corsican Linguini with Fresh Mussels, Clams, Prawns & Sausage  
Petrale Sole D'Or with Lemon-Caper *beurre blanc*  
Two-Way Duckling with Blood Orange-Cranberry Sauce  
Scallops of Veal with Wild Mushrooms & White Wine (+2.00)

### DESSERTS

Chocolate Marquise  
Vanilla Ice Cream with Raspberry Coulis  
Creme Brulee (+2.00)  
Poached Bosc Pear with Vanilla Ice Cream & Merlot Syrup  
Tarte Tatin with Cinnamon Ice Cream  
Three Sorbets  
Cheese Plate

33.00

*L'Escargot*

Dinner Nightly from 5:30 pm

831.620.1942

Mission at 4th, Carmel-by-the-Sea

now dividing her time between cool Carmel and the warm desert. She'll be serving at L'Escargot next week.

L'Escargot, on Mission just below Fourth Avenue — landmarked by the giant wooden snail at the mouth of the driveway — is open nightly from 5:30. Call (831) 620-1942 for reservations.

**PAGROVIA** has changed hands. The Pacific Grove restaurant at 589 Lighthouse, near Forest Avenue, is now owned by **Chef David Pearson**. Open for breakfast and lunch from 7:30 a.m. to 3 p.m. daily, Pagrovia also serves dinner from 5 p.m.

Wednesday through Saturday. The grand reopening special that has been going on for several weeks (buy one dinner entrée and receive a second entrée of equal value or less for half off), sees its last day today, Friday, Oct. 1. Call (831) 648-1345.

**ANDRE and NARGIS LENGACHER** are opening **Grapesteak Restaurant** in Carmel Valley Village to take the place of New Summerhouse Restaurant at 6 Pilot Road. California wine country cuisine will be featured and the cellar will be stocked mostly with Carmel Valley wines. The

*See AMUSE BOUCHE page 12A*

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2004



**From previous page**

opening is loosely set for mid-October. Nargis is in charge of the front of the house while Chef Andre will reign in the kitchen. Grapesteak will retain much of the decor and will feature the vivid floral artwork of **Simon Bell**. Hours will be 11:30 a.m. to 9 p.m. Tuesday through Friday, and 9 a.m. to 9 p.m. Saturday and Sunday and will also serve brunch on those days. Phone number: (831) 277-3779. More information later.

**CHEF CHARLES VOLLMAR**, cooking school director and chef instructor for Sur La Table, San Francisco, will teach food and wine pairing from 4:30 to 9:30 p.m. on Saturday, Oct. 9 at **Eddison & Melrose**, 354 Orange Ave., Sand City. Chef Vollmar will demonstrate adjusting recipes to best match the wines you will be drinking with the dish. The class will also feature **George Edwards** of the Wine Market in Pacific Grove.

A five-course tasting menu will be sampled by participants, including creamy portobello mushroom soup with chèvre cream; salad of crisp gnocchi, baby field greens, pistachios and sour cherry vinaigrette; seared ahi tuna cakes with spicy remoulade sauce; medallions of beef with rustic porcini sauce; and Tuscan bread pudding with spiced zabaglione. Cost of the course is \$125 per person. Call (831) 393-9479 to reserve space.

**Salud!**  
Cooking & Lifestyle School  
**Upcoming Classes**

**October 1 (Friday)**

**Artist Reception—Letty DeLoatch**

6:30-8:30 pm Free

Join us in welcoming this inspiring local artist whose work is heavily influenced by her time spent in the Yosemite Valley. Her interpretations come from hikes & memories of Sierra Nevada objects. Refreshments will be served.

**October 7 (Thursday)**

**Nourishing a Healthy Pregnancy**

6:30-8:30 pm \$10 The Doulas of Monterey County We will discuss what nutrition means for a pregnant family & show you other ways to nourish this time of dynamic life change. Perfect for all women & couples from preconception to the last stages of pregnancy, as well as anyone interested in learning more about nutrition in pregnancy. Join us for a casual evening of conversation & good food!

**October 8 (Friday)**

**Oktoberfest Beer Tasting!**

7:00-8:30 pm \$25

Enjoy a huge line-up of fantastic beers, all paired with delicious foods, including our homemade bratwurst, German cheeses, mustards and, of course, schnitzel!

**October 14 (Thursday)**

**Small Bites for Fall**

6:30-8:30 pm \$25 Jan White & Kristina Westphal Join us for six new little works of art, perfect for fall entertaining—Golden Stuffed Dates, Maple Sugar-Bacon Breadsticks, Butternut Soup Shooters, & more! Includes wine tasting.

Register for classes inside our store at our Customer Service Counter. Registration requires payment in full & guarantees your spot in class. For cancellations, please contact us 24 hours in advance for a full refund.

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**RICH PEPE**, owner of **Little Napoli Ristorante** in Carmel-by-the-Sea, and creator of **Pèppoli** at Pebble Beach at The Inn at Spanish Bay, will be returning Oct. 2 from a weeklong trip to Florence, Italy and other points of interest in Tuscany. As an incentive to his employees, Rich took three staff members from Pèppoli and five from Little Napoli with him for vineyard workshops, cultural sightseeing, wine tasting and culinary training. During a six-night stay in Tuscany, the staff resided at the vineyard estate of **Marquese Piero Antinori**, owner of Pèppoli Vineyards and foremost vintner of Italy. Nice perks.

**THE SECOND** annual **Bernardus wine dinner** takes place next Wednesday, Oct. 6 at **Marinus restaurant at Bernardus Lodge**, 415 Carmel Valley Road (at Laureles Grade), Carmel Valley. **Executive Chef Cal Stamenov** will pair food with new wine releases. The evening begins with a 6:30 reception to be followed by a five-course dinner at 7. Cost is \$95 per person, exclusive of tax and gratuity. Call (831) 658-3550 for additional information and to make reservations.

**THE CENTRAL COAST WINE CLASSIC**, held at **Tolusa Winery** in the Edna Valley near San Luis Obispo, garnered \$521,780 from a wine auction of 100 lots of rare and fine wine and luxury lifestyle packages — all to benefit a wide spectrum of charities. More than 2,400 people attended from 30 states. To learn more about the Central Coast Wine Classic, log on to [centralcoastwineclassic.org](http://centralcoastwineclassic.org) for information. If you would like to make reservations for next year's classic, call (805) 544-1285, or e-mail founder and chairman Archie McLaren at [archie@slonet.org](mailto:archie@slonet.org).

**A HEADY WINE REPORT** commissioned by the **California Association of Winegrape Growers** and the **Wine Institute** revealed that \$45 billion a year is pumped into the state economy from the California wine industry.

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The report, made by MKF Research (an arm of the St. Helena wine consultant and accounting firm of Motto Kryla and Fisher), revealed the California wine industry paid \$1.9 billion in state taxes and another \$3.7 billion in local and federal taxes, drew 14.8 million visitors, provided about 207,550 jobs and paid \$7.6 billion in wages. The report, "Economic Impact of California Wine 2004" revealed the industry grew by almost 40 percent from 1998 to 2002.

**THE AMERICAN CULINARY FEDERATION**

**Monterey Bay Chapter**, will hold its annual barbecue at Indian Village from noon to 5 p.m. on Sunday, Oct. 3 at Pebble Beach. Free to members and their families, and children are welcome. This is a potluck banquet. R.S.V.P. to Chef Gregg Denter at (831) 333-1517 immediately.

**WINE TASTINGS** galore are planned throughout

October at **Rancho Cellars Fine Wine Merchants** at its Cépage Wine Bar, 26340 Carmel Rancho Blvd., Carmel. Tuesday events feature a special wine region or winery, and start promptly at 6 p.m., last approximately two hours and cost \$25: Oct. 5, Bordeaux; Oct. 12, Foxen of Santa Maria; Oct. 19, Grateful Palate (Australia); and Oct. 26, wines of Sicily. On Thursday, Oct. 14, a blind tasting of 2002 Pinot Noirs for \$35; Saturday, Oct. 16, a tasting of 1989 first-growth Bordeaux (\$180); and Saturday, Oct. 23, a beer tasting of Unibroue from 4 to 6 p.m. for \$10. RSVP for any of these tastings by calling (831) 625-546.

**PLAZA LINDA Mexican Restaurant**, 9 Delfino Place, Carmel Valley Village, will feature **Class Act Band** playing rock 'n' roll of the 1950s and '60s, from 6:30 to 9:30 p.m. Saturday, Oct. 2. There is no cover charge. For information, call Bob Lawson at (831) 521-1778.

TWENTY-SIX episodes of **Chef Wendy Brodie's** television show, "Art of Food," will premier on PBS nationwide this month. Eighteen of the top 25 markets have signed on to air the series to date. Chef Brodie is well known on the Monterey Peninsula for her culinary skills and past association with various restaurants in the area — including Lincoln Court restaurant in Carmel-by-the-Sea which she owned jointly with her husband, **Bob Bussinger**. Her series will demonstrate cooking, decorating, lifestyle and entertaining, and also feature visits to food and wine events, farms and gardens. "Art of Food" has been shown on Comcast Cable channel 2, 20 and 34 in the Monterey/Salinas and Santa Cruz areas over the past year and a half, and is currently seen at 9:30 every night of the week. Congratulations, Chef Brodie!

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# Pacific Grove Shopping & Dining

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## AX HIKES

on page 1A

ential negative effect on tourism. I cannot fathom that the council would welcome citizen participation in attempting to find solutions to the problems that our town faces," said Patricia Fairbank, one of the authors of the petition along with Mike Biele and Jim Brun.

Biele has reported the trio already has more than the 443 signatures required to put the question to the voters in a special election. The petition asks for a 20 percent hike in the TOT — from 10 percent to 12 percent — and would require a two-thirds majority to pass.

Certainly we would hope the proposed tax would produce ongoing long-term revenues and thus relieve the city from . . . selling its treasured assets," Fairbank concluded. "Charging higher taxes on hotel guests would maintain the level of public services which the residents have become accustomed to," added Anne Bell.

Several council members reiterated their position to raising the TOT or charging a per-seat tax in Carmel restaurants. Monta Potter, executive director of the Carmel Chamber of Commerce, said her board voted to oppose higher hotel taxes because they would hurt local innkeepers. "I personally like the idea of sales tax,

because it costs everyone," she added.

### Don't overwhelm shoppers

Councilman Gerard Rose favored a sales tax increase so long as it is not piggybacked on others — such as the half-cent hike the Transportation Agency for Monterey County has sought — and "overwhelm" shoppers.

Councilman Erik Bethel also said he could support a higher sales tax if the money went for specific uses, even though that would require a two-thirds majority to pass. A tax increase benefiting the general fund would only need a simple majority.

But he, too, worried about driving shoppers out of town.

"If we raise the sales tax, what's going to happen? Are we going to be killing our retailers? I don't know," he said.

Mayor Sue McCloud urged moving forward, and Guillen said staff would report back with analysis and a timeline. Based on the city's sales tax revenues of \$1.88 million in 2003/2004, another quarter percent would generate \$475,500 more.

Council members also favored reexamining the city's investment policy, which is very conservative, keeping \$9 million of working cash in the insured Local Agency Investment Fund at a risk "near zero," according to Guillen.

The LAIF performed well until 2000, but since then has grown more slowly than the

rate of inflation, according to Bethel, and is therefore costing the city money.

"I think we could get more," councilman Mike Cunningham said. "I don't want to buy junk bonds, but I think we could get more."

He also pushed a parcel tax, though other council members and McCloud doubted voters would approve one, considering they wouldn't even pass a \$36-a-year tax to clean up stormwater runoff or an ambulance tax of even less.

Cunningham said voters are more aware of the city's plight now.

"If the citizens of Carmel realize that without some form of revenue increase, the services they have enjoyed are in jeopardy, there's a more compelling argument now than there was a year ago," he said.

The majority did not agree, so the council directed Guillen to look into an impact fee for construction trucks rolling into town. That revenue source seemed popular with council members, but Guillen said it could violate interstate commerce laws protecting truckers from being taxed just for passing through a jurisdiction.

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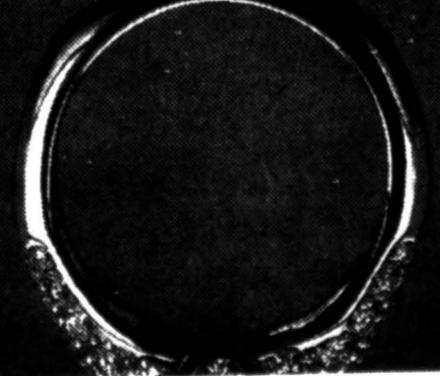
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OCTOBER 2004

# Pacific Grove Shopping & Dining

## EIR

From page 1A

The previous draft of the EIR, released in March, said the new development's water use

— totaling about 90 acre-feet a year — was already offset by the savings from the reclamation plant.

The new EIR recommends the board of supervisors require the Pebble Beach Co. to

offset the water use of the new development by building Phase II of the reclamation project, which would add microfiltration and reverse-osmosis, bringing the water to a high state of purity, eliminating the need for any drinking water use on golf courses, according to the revised EIR.

"We don't necessarily agree with their conclusions, but since we're going to build Phase II anyway, why fight over it?" Williams said. Construction of Phase II depends on permits being issued for the new development, along with sale of some of the water to owners of lots-of-record in the forest, company officials said.

### Saved from the start

Faced with a long-term water shortage that threatened to stifle its development ambitions, which then included 350 new homes in Del Monte Forest, the P.B. Co. announced plans in the early 1990s to build a reclamation plant and eight miles of pipeline from Carmel to Del Monte Forest to irrigate its golf courses.

Financing for the project — which cost \$33.9 million — was guaranteed by the P.B. Co. Over the years, that guarantee has resulted in the company paying "more than \$4 million" in extra charges because sales of the reclaimed water haven't produced enough cash to pay the interest and operating costs of the plant, company officials said.

When a partnership headed by Peter Ueberroth, Clint Eastwood, Arnold Palmer and Dick Ferris took over the company in 2000, its development plans were scaled back to the current project. But the water remained an essential part of those plans.

In addition to the new mitigation requirements for the Pebble Beach water supply, the revised EIR has new information about impacts on Monterey pines and other plant species, as well as other environmental issues. (It can be downloaded from [http://www.co.monterey.ca.us/pbi/major/pbc/revised\\_DEIR/prdeir\\_home.htm](http://www.co.monterey.ca.us/pbi/major/pbc/revised_DEIR/prdeir_home.htm)).

After being recirculated to the public and various governmental agencies, the revised EIR will be reviewed by the Monterey County Subdivision Committee on Nov. 18.

### SAND CASTLE CONTEST DATE, THEME ANNOUNCED

"FIFTY YEARS of Castles and Cottages" is the theme of the 43rd annual Great Sand Castle Contest, to take place Sunday, Oct. 24 on Carmel Beach.

Registration takes place right on the beach the morning of the event and judging begins around 1 p.m. Contestants may begin building at 7 a.m. Oct. 24. The event is co-sponsored by the American Institute of Architects/Monterey Bay Chapter and the City of Carmel-by-the-Sea.

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# Pacific Grove Shopping & Dining



## RSC From page 1A

already informed the ranch they are the subject of an investigation that may result in prosecution under the ESA," said Amanda Wheeland, an attorney with the National Oceanic and Atmospheric Administration. "You can also be held responsible if you permit an activity that results in a 'take' of an endangered species," she told planning commissioners.

According to Wheeland, wells at Rancho San Carlos — a huge piece of property that has a golf course and 25 upscale homes now and will have up to 274 more at build-out — can injure or kill trout and other rare species.

"Even very small reductions in baseflow [water that flows underground] can affect streamflow during summer and fall," she argued. "A hydrologic study showed that 95 percent of the Rancho San Carlos water demand will reduce the amount of water in the streams."

But an attorney for the ranch, Brian Finegan, argued that all of the water used at Rancho San Carlos remains in the local watershed and the amount is too small to affect local streams anyway, especially since all the ranch wells are located at least 1,000 feet from streambeds.

"The hydrologic study Ms. Wheeland referred to said there could be impacts on creeks from pumping if the wells were too close, and that's why they were located at least 1,000 feet from the immediate baseflow areas," Finegan said.

## GALLERIES

From page 3A

and a salary or two. To survive, they "only have to sell a few paintings a year," he said.

Some gallery owners scoff at this conclusion, arguing they have many other costs, including marketing, and must be competitive to survive, just like any other retail business.

While it pained him to impose restrictions on a livelihood as much a part of Carmel history as art is, Bethel said too many galleries diminish downtown's attraction to tourists and hurt the city.

Mayor Sue McCloud said a recent report showed only two galleries were among the top 25 businesses providing sales tax revenue to the city. Many buyers of art have their purchases shipped out of state, avoiding sales tax.

Councilman Gerard Rose, the lone dissenter in the previous week's vote, likened the charge that Carmel has too many art galleries to the emperor saying he disliked Mozart's concerto because it had "too many notes."

"I continue to be unconvinced. The free market normally takes care of these kinds of things," he said. "To write off art galleries as saying they don't pay their fair share, or somehow don't draw visitors to Carmel, or are somehow responsible for a decline in the charm of Carmel is just nonsense."

The urgency ordinance, which expires in 45 days unless the council extends it after another public hearing, was passed 4-1 and took effect immediately.

*To write off art galleries as if they don't pay their fair share, or somehow don't draw visitors to Carmel, or are somehow responsible for a decline in the charm of Carmel is just nonsense.'*

— Gerard Rose

"Do the streams go dry? Yes. And they've always gone dry in the summer. Mother Nature makes them that way. But there is no evidence pumping at the ranch is drawing down the creeks."

Carmel Valley resident Gillian Taylor, representing the Sierra Club, refuted Finegan's claim, saying, "We have a lot of information on the record to show that pumping on the ranch is harming the creeks."

But commissioner Miguel Errea, a South County rancher, disagreed.

"The creeks [at Rancho San Carlos] have been drawn down, but it's because we're in a dry period," Errea said.

Another commissioner, Juan Sanchez, said he wasn't an expert on water issues, but he didn't want his grandchildren blaming him "for letting a species go extinct."

An attorney with the county counsel's office, Wendy Strimling, showed obvious annoyance at Wheeland's threat to prosecute planning commissioners if they approved the 29-lot subdivision, especially since the county's planning staff "has concluded the water issues at Rancho San Carlos are adequately mitigated."

But she advised commissioners that a condition requiring the ranch to get a permit from NOAA for any possible harm to endangered species would protect them from liability, a position that was adopted by the commission on a 6-2 vote.

After the hearing, Wheeland said she would also appear before the board of supervisors if Rancho San Carlos appeals the permit condition.

"We're at a stalemate because they won't admit that they're having an effect on the streamflow," Wheeland said.

But the chief operating officer of Rancho San Carlos, Don Wilcoxon, adamantly disputed Wheeland's claim that his company wasn't working hard enough to protect threatened species and their habitat.

"We've been cooperating all along and we will reach agreement on a conservation plan," he said.

### Lawsuit against RSC partners

Also appearing at the planning commission hearing Wednesday was the executive director of the Santa Lucia Conservancy, a nonprofit organized to manage the 18,000 acres of open space which surround the ranch's pockets of development.

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Jim Sultenich countered charges made in a lawsuit filed Monday by his predecessor, Jeffrey Froke, who alleged he was illegally deprived of his share of profits from the sale of lots at Rancho San Carlos, and so were the flora and fauna.

"It was never the intention of the [RSC] partnership to fund the endowment of the conservancy," Froke alleged. Millions of dollars in payments for maintenance and upkeep of the open space were due in 2003 and not paid, he claimed, and neither will the rest of the \$25 million RSC promised. His share of profits from the development is 4.5 percent of one of the partnerships, which sources have estimated at between \$1 million and \$5 million.

But Sultenich told the planning commission "every financial commitment has been honored" since the conservancy was established in 1995. The total support for the open space so far is about \$3 million, with another \$5.3 million due in December.

"That money will be paid and so will the rest of the \$25 million," said Tom Gray, managing partner of Rancho San Carlos.

Gray also said it was untrue that Froke has been cheated.

"There's no dispute that he has a partnership interest, and as soon as there is cash flow to pay him, he will be paid," Gray said.

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## Pacific Grove Chamber of Commerce CALENDAR OF EVENTS OCTOBER 2004

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### OCTOBER 2

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### OCTOBER 3

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## ARSON

From page 5A

and a yoga studio. The county red-tagged the complex and its tenants remain displaced, though a construction company is already handling cleanup and repairs.

In addition to the electrical room, the fire burned two adjacent rooms, and its smoke spread through the building. The first floor sustained structural damage as well. CDF said the cost may go higher than the original estimate of \$250,000.

"I think that's probably going to be low," Williams said. "There are several iron beams in the basement that are warped" and all of the electrical and communications equipment must be replaced.

The investigation could be finished in another three weeks, depending on how soon interviews can be scheduled and how quickly the electrical engineers at the labs process the burned components.

Williams was immediately suspicious of the fire because of another set in the same building July 18, which caused about \$5,000 in damage.

"We called that one arson," he said. "We found the device — the ignition source."

Williams declined to identify the device and said he is still investigating leads in that case.

### Obvious M.O. of Scenic firebug

The fire that singed part of a Carmel Point home under construction less than 24 hours after the Carmel Rancho fire was also set, Williams said. "We're still doing interviews and have some tests to do."

The "considerable amount of flammable liquid that was splashed around the inside" of the Scenic Road home, and subsequent interviews that yielded a few leads for possible suspects, definitely point to arson, according to Williams.

The blaze had already burned itself out by the time a building contractor and the homeowner, Morgan Gilman, discovered the damage the morning of Sept. 22. It was mostly confined to a single stairway but residue and leftover liquid covered the floor, walls and window sills, all of which might have to be replaced if the stains and odor can't be removed.

"If whatever the material they used had done what they intended it to do, we would have had a whole pile of ashes," Williams said. "We don't know what the liquid was. There are a bunch of samples at the lab right now, but the DOJ lab is awfully busy, so we don't know when we'll get results back."

Identifying the liquid could narrow the pool of suspects.

"Certain types of people have access to certain types of materials," he said, adding that CDF investigators might work with Gilman's insurance company as well.

And if they identify a suspect, they will have the pleasure of making the arrest, as all of CDF's investigators are sworn, armed peace officers.

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# Carmel Valley

## Report: Rippling River needs just \$464,000 in immediate work

By PAUL MILLER

AN INDEPENDENT engineer working for residents of the Rippling River affordable housing complex in Carmel Valley has issued his own report on needed repairs there. According to an attorney working pro bono to help the residents keep their homes, the report identifies less than a half-million dollars worth of work to make the project safe.

"Jeff Beam of Engineering West identified almost all the

same issues as the Army Corps of Engineers did in their report," said the attorney, Dan De Vries, of San Juan Bautista. "But Jeff broke them down into categories that separate work that's needed right away to make Rippling River habitable from things that are longer term."

Total cost of needed repairs in the two reports is almost the same: \$2.7 million. Even that is far lower than the \$10 million estimated by the county housing authority when it announced Rippling River might have to be torn down.

The new report divides the repair work into three categories:

- essential repairs, totaling \$463,636;
- work that should be performed with two to five years, totaling \$694,923; and
- purely optional and voluntary work will cost \$1,533,280, the report concludes.

"The two reports are

essentially in sync, but ours provides the residents and the county with a clear answer to what needs to happen out there now and how much it will cost," Beam said. His company, which has been working at a reduced rate on the Rippling River report, is located in San Jose.

According to De Vries, the immediate work identified by Beam should be enough to "end the insurance crisis that has been confronting residents and local politicians."

### Historic homes open Sunday

COSTUMED DOCENTS will welcome visitors to the 35th annual Pacific Grove Historic Home Tour, scheduled for Sunday, Oct. 3.

Turn-of-the-century homes in the 115-year-old city will be open from 10 a.m. to 4 p.m. Tickets, \$20, can be purchased at the Pacific Grove Chamber of Commerce, Central and Forest avenues, Pacific Grove, by calling (831) 373-3304 or at [www.pacificgrove.org](http://www.pacificgrove.org).

The tour will include a redwood house designed and built in 1914 by Julia Morgan, the architect who also designed Hearst Castle at San Simeon. In walking distance of this home are two 1904 houses meticulously restored by their present owners.

Other historic structures include the 150-year-old Point Pinos Lighthouse, where actress Roo Hornady will portray lighthouse keeper Emily Fish.

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# Military jet teams to show off talent and sheer guts in Salinas

By MARY BROWNFIELD

AS THE only event in the country to feature two military jet teams, the California International Airshow has become a must-see for West Coast airplane buffs. The show will be held this weekend at the Salinas Airport.

A reputation of hosting excellent shows every year since 1981 put the airshow on the

map and attracts top-level performers, according to its executive director, Harry Wardwell. This year, the U.S. Navy Blue Angels and the Canadian Forces Snowbirds will appear alongside a host of impressive aerobatic demonstrations and military flybys. On the ground, Scott Hammock will show off his Smoke N Thunder Jet Car, which boasts 6,000 pounds of thrust.

Wardwell credits 900 volunteers with the

show's success in getting a jam-packed line-up, and with helping raise more than \$6.2 million for charities.

"We have a lot of volunteers who have been doing the same job for 24 years, so they know how to do it well," he said. "A lot of folks take their vacations just to work the airshow."

Veteran aerobatic champion Wayne Handley, who retired from the airshow circuit last year and now teaches the art in Greenfield, changed careers after attending the first Salinas show in 1981. Top-flight flyer Sean Tucker, has a similar story.

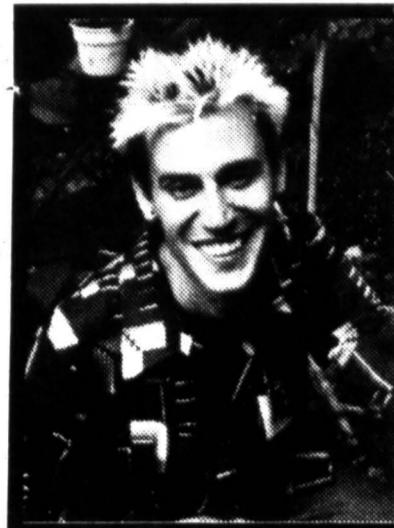
"They were crop-dusters in the Salinas Valley," Wardwell said. "They came to the show and saw some of the aerobatic pilots and thought, 'I could do that.'"

Both pursued aerobatic competition,

began performing on the airshow circuit and became the nation's best. Tucker and his Team Oracle are part of this year's lineup.

Airplanes can't fly backward, but helicopter pilot Jim Cheatham and his trio of Showcopters, another local aerobatic group, will demonstrate their talent for that and other maneuvers during the show.

Gates open Saturday and Sunday, Oct. 2 and 3, at 9 a.m., allowing spectators to explore displays of military, civilian and historic aircraft. Flying will begin at 11 a.m. General admission at the gate is \$16 for adults; \$13 for kids, with grandstand seats priced \$5 higher. Children under 6 are free. Ticket holders can ride on Monterey-Salinas Transit for free. For more information, visit [www.salinasairshow.com](http://www.salinasairshow.com).



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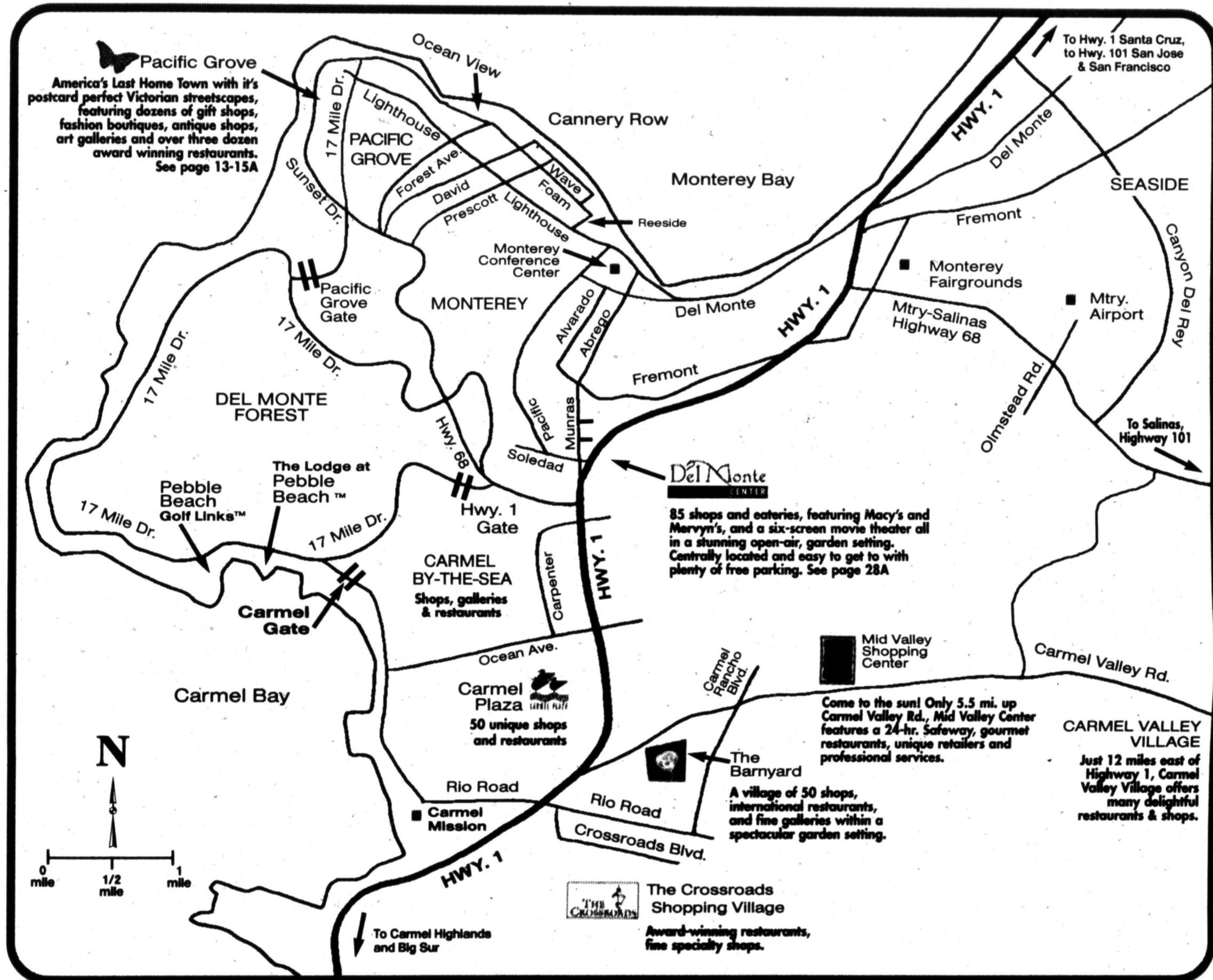
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# The Carmel Pine Cone

# This Week

Arts & Entertainment • October 1 - 7, 2004

Carmel • Pebble Beach • Carmel Valley & The Monterey Peninsula



**WHAT:** Christopher Hart plays Feste in the Pacific Repertory Theatre staging of Shakespeare's "Twelfth Night"

**WHEN:** Half-price preview 7:30 p.m. Friday, Oct. 1; opens 7:30 p.m. Saturday, Oct. 2 and plays 7 p.m. Sunday, Oct. 3

**WHERE:** Outdoor Forest Theater, Mountain View and Santa Rita, Carmel-by-the-Sea

**COST:** \$20 to \$27 for adults; \$9 to \$21 for seniors/students; \$6 for children under 12

**RESERVATIONS:** (831) 622-0100 or [www.pacrep.org](http://www.pacrep.org)



## BITING THE HAND THAT FEEDS



**WHAT:** Performance Carmel presents The Capitol Steps, a Washington D.C.-based troupe of Congressional staffers-turned-comedians who satirize the very people and places that once employed them.

**WHEN:** 8 p.m. Sunday, Oct. 3

**WHERE:** Sunset Theater, San Carlos Street at Ninth Avenue, Carmel-by-the-Sea

**COST:** \$25, \$35 and \$45

**INFO/RESERVATIONS:** (831) 620-2040

### Dining Around the Peninsula

<b>CARMEL-BY-THE-SEA</b>	Goodies .....	14A
Christopher's on Lincoln .....	12A	
Flaherty's .....	24A	
Il Forno .....	10A	
L'Escargot .....	11A	
Sushi Heaven .....	12A	
<b>MONTEREY</b>		
Casa Cafe .....		
at Casa Munras Hotel .....	10A	
Monterey Fish House .....	18A	
Monterey Joe's .....	27A	
Turtle Bay Taqueria .....	14A	
<b>PACIFIC GROVE</b>		
Fandango .....	13A	
Fishwife .....	14A	
Turtle Bay Taqueria .....	14A	
<b>SEASIDE</b>		
Fishwife .....	14A	
Turtle Bay Taqueria .....	14A	

**CARMEL-BY-THE-SEA**  
**PAC REP THEATRE**  
presents Shakespeare's

**12TH NIGHT & ROYAL BLOOD**

October 1-17

See page 24A

**CARMEL-BY-THE-SEA**  
**OLIVER, ELLIOTT AND SEBASTIAN FINE ART**  
**Toward a New Language**  
Artist Reception  
October 2  
See page 21A

**PACIFIC GROVE**  
**PACIFIC GROVE'S 35th Annual HISTORIC HOME TOUR**  
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**CARMEL-BY-THE-SEA**  
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**CSU MONTEREY BAY**  
**ALLSTATE**  
presents  
**AN EVENING WITH THE LEGENDS**  
October 9  
See page 22A

**CARMEL-BY-THE-SEA**  
**MONTEREY JAZZ FESTIVAL**  
presents  
**JAZZ @ SUNSET**  
October 9  
See page 20A

**PEBBLE BEACH**  
**PUBLIC SAFETY DAY & FIRE DEPT.**  
**OPEN HOUSE**  
October 9  
See page 21A

**CARMEL-BY-THE-SEA**  
**RICHARD MACDONALD DAWSON COLE FINE ART**  
Artist Reception Oct. 16  
Exhibition Oct. 5-Nov. 5  
See page 5A

**CARMEL-BY-THE-SEA**  
**CARMEL MUSIC SOCIETY**  
presents  
**DAVID FINCKEL-Cello**  
**WU HAN-Piano**  
October 14  
See page 24A





## Plugged In

By Stephen L. Vagnini

## SISTA MONICA SINGS ANEW

ON SATURDAY, Oct. 2, Sly McFly's on Cannery Row features the return of **Sista Monica Parker** in her first local club appearance in more than two years.

Parker (affectionately known by her friends and fans as Sista Monica) is one of the most successful female blues, soul and gospel singers on the international music scene today. In 2002 she was awarded the prestigious "Artist of the Year Award" at the

17th Annual Monterey Bay Blues Festival. Currently in the studio recording her latest album (her seventh), Parker recently returned from a tour that took her through the United States, Canada and Europe. This is a remarkable feat considering that less than two years ago she was diagnosed with a rare form of cancer.

Due to her strong spirit, her faith and an incredible show of support from friends, fans and loved ones, Parker has persevered

and she is back in full force. A powerhouse vocalist, the Santa Cruz queen of soul late last year released "Love, Soul & Spirit, Vol. 1," an album of some of her favorite standards that offers a softer, gentler, inner peace

and transformation. Inspired by her recent battle with synovial sarcoma, Parker's effort is richer for her personally selected songs.

See **PLUGGED IN** page 24A



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## BOOKSHELF

From page 204

Walk on Sunday, Oct. 10 starts at 9:15 a.m. from the Carmel River Beach parking lot. For details, call (831) 624-1813 or check the Tor House website at [www.torhouse.org](http://www.torhouse.org).

□ □ □

MORE EVENTS literary on Oct. 10: The fourth annual "Author! Author!" will be held at 4:30 p.m. at the Sunday, Oct. 10 at the Barnet J. Segal reading room at Harrison Memorial Library at Ocean and Lincoln, Carmel-by-the-Sea. This year's program, "Writing for the "Screen," will feature local screenwriters Alan Marcus, Jerry De Bono and Graham Yost in a question and answer format, following self-introductions.

Marcus worked on such films as "The Marauders" and "Kiss her Goodbye" and is the author of "Straw to Make Brick," and "Of Streets and Stars." De Bono made his mark in Hollywood writing for a multitude of popular TV series from the 1950s through the '70s including "Hunter," "Marcus Welby, M.D.," and "Star Trek." Yost has written for several films, mini-series and TV shows including "Band of Brothers," "Boomtown" and "Speed."

Sponsored by the Carmel Public Library Foundation, the event is free, but due to limited seating, tickets are required for admission and may be picked up at the circulation desk of Harrison Memorial Library. First come, first served. For further information, call the foundation at (831) 624-2811.

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10/29

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## PLUGGED IN

From page 21A

Her new acoustic jazz sound is performed with piano, bass, drums and an occasional tenor sax accompaniment. For tickets and more information, call (831) 649-8050.

The Monterey Jazz Festival turned 47 the weekend of Sept. 17-19 and as everyone who has reached middle age will tell you — keeping in shape is important and not altogether easy.

Since taking over the reins in 1992, General Manager Tim Jackson has not only booked the festival back into shape, the young promoter has restored luster to the longest running jazz festival in the world and he has (with the assistance of a strong staff

and active board of directors) renewed and expanded the festival's commitment to jazz education.

Programs conducted year-round benefit thousands of students throughout Monterey County and the United States. And the 24-year-old Traveling Clinicians Program, the heart of the jazz education arm, has spawned a generation of new players who constantly provide new sounds and new directions.

By all accounts this year's festival was a huge success — beginning with local pianist Milton Fletcher's riveting performance on the Garden Stage on Friday evening and ending with drum legend Jack DeJohnette and his Latin Project on Sunday evening in the Main Arena.

Friday evening's performances in Dizzy's Den by new jazz acts the Bad Plus and Charlie Hunter lived up to expectations and

young folksinger Jackie Green created a buzz that lasted well past his two Saturday afternoon performances.

A few main stage performances stood out as magical, including Terrence Blanchard and his sextet performing his "Mood for Dizzy" on Friday evening and the always popular Chaka Chan on Sunday afternoon. As evidenced by performances by young promising musicians like Fletcher and the Berklee-Monterey Quintet, the barrier-bending sounds of Boban Markovic and the Serbian Orkestar, Don Byron's ultra hip and ethereal Ivey Divey Trio, the legendary and getting-better-with-every-performance Charlie Musselwhite — and on and on — the 47th edition looked fit as a fiddle and

flexed its muscles on every stage.

Meanwhile, The MJF Fall 2004 concert series, "Jazz at Sunset," opens on Saturday, Oct. 9 with the appearance of two young female vocalists, Tierney Sutton and Roberta Gambarini.

Other concerts, an impressive and varied slate, include "The Rite of Strings" featuring Al Dimeola, Jean-Luc Ponty and Stanley Clarke on Wednesday, Oct. 20; the Michael Camilo Trio on Thursday, Oct. 28; Tuck and Patti on Saturday, Nov. 6; and The Blind Boys of Alabama on Tuesday, Nov. 30.

Order tickets at [www.montereyjazzfestival.org](http://www.montereyjazzfestival.org) or call (925) 275-9255.

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Two CHSAA websites carry "Class Lists" with many classmate e-mail links, contact information for class representatives and class reunion organizers, class reunion information, an expanding alumni website directory, membership forms, a "Memory Lane," online registration, "Class Notes," a current list of online memberships and "All Things Alumni." (<http://carmelhighalumni.org/and> <http://carmelhighalumni.blogspot.com/blog>).

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*— San Francisco Chronicle*

## JADE

From page 10A

Sur's culture — it's a big part of the local economy.

"A lot of people make their living from jade," said Ondine Gorton, co-owner of Local Color. "It's almost like money around here."

Jade Cove, where the majority of Big Sur jade has been collected, is located two miles north of the small town of Gorda, best known for its elephant seal population. Jade erodes from nearby cliffs and is washed up by the surf.

In 1971, diver Don Wobber of Pacific Grove and two friends literally put Jade Cove on the map when they lifted a 9,000-pound boulder from the sea. The behemoth was wrenched from where it was wedged between other huge rocks, pulled with ropes and chains attached to Navy surplus inflatable bags. As the bags were filled with air, Wobber was gradually able to float the boulder a mile-and-a-half to the beach, losing the boulder at least once from its cradle and having to retrieve it from the bottom once again. The whole project took eight months. That boulder is in the Oakland Museum of California, while another, weighing 2,400 pounds, is on display in the Pacific Grove museum.

Since then, California has prohibited divers from using any kind of machinery to harvest jade. You can take only what you can carry.

Aside from its obvious beauty, it is jade's durability that endears it to artisans. "Jade is one of the toughest of all stones. You can hit a diamond with a hammer and you have a bunch of little diamonds," said Comello, owner of the Big Sur Jade Company, an online gallery of finished and unfinished jade. "But jade is built of compact fibers which run in all different directions so that unless it has a natural fracture, it is almost unbreakable."

Comello said the human fascination with jade dates back to the Stone Age. "If you owned a jade tool or weapon in those days, you had a Cadillac," he says. "It was the most durable of tools. Something fashioned out of jade will remain long after we are forgotten."

Comello is one of 45 artisans who will display their wares at the festival. "When we started in 1991, we had only about 20 vendors," he recalled. "Now we have a waiting list."

From the start, the festival has been a success. "It gets a little bigger each year," said Comello. "But bigger doesn't always mean better. We're more interested in quality than quantity."

The festival is sponsored in part by the Cultural Council of Monterey County. Proceeds benefit the South Coast Community Land Trust, a nonprofit working to educate youngsters and establish a community center for one of Monterey County's most remote areas.

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"We give \$2,000 each year to kids in the community," said Comello, a father of three. "We sent one student to China on an exchange program. We've also helped pay for bicycle trips, river rafting ventures and writing seminars."

The jade festival also offers a tasty mix of music. Highlights include singer-songwriter Alisa Fineman (Saturday afternoon), a Middle Eastern belly-dancing troupe (Sunday afternoon) and an electric blues guitar jam (Sunday afternoon). And since this is Big Sur, there will be lots of drumming all three days, led by local percussionists (and jade artisans) like Steve Loeks and Dick Horan.

Part flea market and part carnival, the jade festival offers fun for all ages. "It's definitely a family affair," Comello said.

Entrance is free. The Pacific Valley School is located across Highway 1 from Sand Dollar Beach and adjacent to Plaskett Campground, 65 miles south of Carmel and 35 miles north of Hearst Castle. The festival starts at noon Friday, Oct. 8, and closes at 5 p.m. Sunday, Oct. 10.

## Candidates for Congress, State Senate speak

**REPUBLICAN ASSEMBLYMAN** Abel Maldonado, who hopes to replace term-limited Senator Bruce McPherson and has received his endorsement, will debate Democrat Peg Pinard, who is challenging him for the seat. The two will speak at the Best Western Beach Hotel at Highways 1 and 218 in Monterey from 7 to 8 p.m. on Sunday, Oct. 3.

The next evening, Calvary Chapel of the Monterey Peninsula will host a forum from 7 to 8:30 p.m. While Democratic Congressman Sam Farr will be in Washington, D.C., he will participate by telephone. Republican Mark Risley, Libertarian Joe Smolen, Peace & Freedom Party candidate Joseph Williams and Green Party candidate Ray Golck-Grueneich are scheduled to speak in person.

Tickets are available at the candidates' headquarters. For more information, call 649-1158.

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## OPINION

## Editorial

## Adding up the costs and benefits

WHILE A consultant tries to predict the costs of running a Town of Carmel Valley — police, fire, road repairs, that sort of thing — the price of creating the new municipality in the first place is becoming clearer.

Ironically, it's the elaborate government procedures in California and Monterey County meant to discourage development that are adding dramatically to the financial burden proponents of incorporation have to bear — ironic because their purpose for incorporating, they said at a public meeting this week, is to bring development in Carmel Valley to a standstill, or close to it.

"This incorporation proposal is our last, best opportunity to make sure we don't get overdeveloped and to protect our rural character," said C.V. resident Glenn Robinson at a meeting of the Local Agency Formation Commission Monday.

If he and his allies succeed, one of their greatest tools in slowing development will be the California Environmental Quality Act. But for now, it's one of their biggest obstacles. Just getting the checklist prepared to ascertain whether an EIR might be required is going to cost \$25,000, LAFCO executive officer Kate McKenna announced at the Monday meeting.

"The proponents of incorporation are considering their ability to pay for that work," she said.

Another thing they are surely considering: What if an EIR is called for? That can cost hundreds of thousands of dollars.

And the threshold to trigger an EIR isn't very high. All it takes is for the consultant preparing the Initial Study to determine that creating a Town of Carmel Valley *could* have a significant impact on the environment. And opponents at the hearing this week signaled their intention to argue that incorporation will have all sorts of negative environmental impacts.

One suggested that creating a town would fuel a demand for revenue that could only be satisfied by the addition of numerous hotels and shopping centers — a phenomenon that has certainly happened elsewhere. State laws would also require the city to add affordable housing that can be built elsewhere while Carmel Valley is in the unincorporated part of Monterey County, opponents argued.

"The rape of the valley," is how Bob Sinotte described his vision of what would happen if incorporation succeeds.

His fears may be exaggerated, but exaggeration is often enough to prompt EIR.

And there could be even worse news coming: The new town will surely have to pay a hefty alimony to Monterey County to incorporate, because a wealthy area such as Carmel Valley surely pays more in taxes than it gets in services.

Meanwhile, representatives of several housing projects at the mouth of the valley made a strong case this week that they don't want to be included in the new town. At Hacienda Carmel, for example, just 2.5 percent of residents responding to a poll supported incorporation, according to testimony from its homeowners association.

We have used this space before to argue that California has put too many roadblocks in the way of citizens who want to incorporate. Self-determination is a basic right of mankind, and if the people of Carmel Valley want to form their own town, they should be able to without any substantial interference from the state or the county.

But that argument is moot, because the very difficult obstacles are in place, and they aren't going to be removed anytime soon.

It is by no means certain that the people of Carmel Valley will vote for incorporation. But even asking them the question is looking more and more difficult.

## BATES



## Letters to the Editor

## Allen Funt Ranch

Dear Editor,

Perhaps my family's many friends in Carmel and Big Sur will help with a troubling matter about which I can no longer keep silent.

The ranch at Bixby Creek, a 1,200-acre treasure owned by my father from 1977 until his death in 1999, is now operated as an "environmental center" by Los Padres National Forest. The circumstances by which the property changed hands and eventually wound up in the public trust were reported in detail by The Pine Cone. Suffice it to say, it saddened me that much taxpayer money was funneled to an unscrupulous middleman; still, there could be no better fate for my father's lovingly crafted property than to be preserved for the public's pleasure.

The problem is: While the forest service has preserved everything on the property from the majestic buildings down to each handcrafted fence post, it has inexplicably decided not to preserve my dad's name. The color brochure, featuring things he designed and built by hand, omits any mention of his involvement.

They call it The Brazil Ranch. The Brazil family held the property for over 75 years,

but when they sold it to my father, there wasn't so much as a rusty nail in the rubble worth saving. Allen Funt, with the help of John Moon, designed and built everything on the property — true works of art in remarkable harmony with the natural surroundings.

Americans have a tradition of naming streets for people who never walked on them and airports for those who never so much as traveled there. But my dad's ranch is his own monument to the land he loved.

I hope the forest service will restore the name The Allen Funt Ranch. I urge Congressman Sam Farr, along with others who were instrumental in saving the property, to finish the task by saying the name of the man who made it possible.

Peter Funt, Pebble Beach

## Just a 'modest amount' of female flesh

Dear Editor,

Last Friday evening I attended a delightful reception at the Carmel Art Association at which the calendar featuring photos of the "Carmel Fire Belles" was introduced. The large gathering of new and old Carmelites included many familiar faces, and the calendars sold like hot cakes.

The enthusiasm of the crowd demonstrated very positive support for Carmel's own Calendar Girls. As an aside, by today's stan-

See LETTERS next page

■ Publishers	Paul Miller, Kirstie Wilde
■ Advertising Director	Tim Cadigan
■ Production Manager	Jackie Cromwell
■ Arts & Layout Editor	Anne Papineau
■ Associate Arts Editor	Margot Petit Nichols
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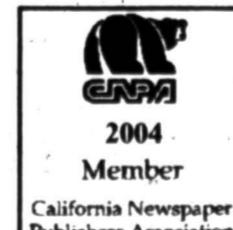
The Carmel Pine Cone was established in 1915 and is a legal newspaper for Carmel-by-the-Sea, Monterey County and the State of California, established by Superior Court Decree No. 34750.

## The Carmel Pine Cone

www.carmelpinecone.com

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2000 — Investigative Reporting

2001 — Advertising Design

2001 — Editorial Comment

2002 — Front Page

2002 — Environmental Reporting

**From previous page**

dards, the amount of female flesh exposed is very modest.

The wine flowed freely. George Sterling, Jack London, Mary Austin and their fellow bohemians of historic Carmel must be dancing with glee on the sands of their afterworld.

**Lindsay Hannah, Carmel**

*'I'm sure our cottage will be torn down ....'*

**Dear Editor,**

We live in a small Carmel cottage on Camino Real. Next door is an even smaller cottage which will soon be torn down and will be replaced by a huge home. This will take so much away from us. I have a view of trees and lots of sky now outside of my kitchen and living room windows. The new home will take almost all of it away.

I will be looking at a large "wall" of wood after this home is built. I feel it will make it hard to stay. If anyone wants to see one of the last Comstock cottages that has not been McMansioned, please drive by.

If we have to sell, I am sure our cottage will also be torn down immediately. It always makes me smile when tourists ignore the large homes but stop by ours and take pictures, almost every day.

**Pamela Wagner, Camino Real 3 SW of Fourth Avenue, Carmel**

*Wants to stay Saturday night*

**Dear Editor,**

With regard to the article in The Pine Cone (Sept. 24) about the possibility of increasing the motel tax: We were in the Monterey area last Saturday to attend a Monterey Bay Aquarium event but returned home that same evening.

We thought of staying overnight in Carmel for Saturday night so we could go to one of your restaurants in the evening, but since no Carmel motel will take a Saturday-only reservation, we returned home.

We live about 90 miles from Carmel and would like to occasionally spend a Saturday there but have no interest in two days, so we don't come. That means no motel or restaurant business for you because we can't stay only for a Saturday night.

Walking around Carmel last Saturday

afternoon, we noticed that most motels had a vacancy for Saturday night. So one thing you might do is to get your motels to take Saturday ONLY reservations.

Another rather interesting item from the Pine Cone article is that Carmel resident and former school teacher Mike Biele's solution is to increase the tax from 10 percent to 12 percent. Typical school solution is always to raise taxes, never to become more efficient! Our motel we stay at for the Carmel Bach Festival increased our room rate by 4 percent last summer so business can't be too bad. At \$150 per day rate (probably on the low side) for 990 rooms and 365 days and a 10 percent tax rate, Carmel raises \$5.5 million per year in addition to the property tax paid by each motel. How much do you need? You need to keep the rooms full like you used to in the good old days! Saturday-night-only stays would help.

**Jim Dean, Sunnyvale**

*'A biased, partisan and hypocritical reporter'*

**Dear Editor,**

CBS, 60 Minutes and, most especially, Dan Rather got a well deserved black eye after finally admitting their story about president Bush's National Guard Service contained false information and bogus documents.

What concerns me is not the false documents, but how much Rather wanted the documents not to be false. He was in his glory denigrating the President's service to our country. Rather will not admit to being a left-wing partisan, but instead tries to pass himself off as an independent and unbiased reporter whose only concern is reporting the truth. To me, that notion is more bogus than the documents in question.

I noted with much interest that Rather's apology was not directed to President Bush, the person he so much wanted to hurt, but was more like a child's reaction when caught with his hand in a cookie jar. It was a generic apology at best with little or no sincerity.

Dan Rather's punishment should require him to preface his news broadcasts with a statement disclosing that he is a biased, partisan and hypocritical reporter. The viewers can then simply consider the source.

**Burr Schinner, Carmel**



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Steven Rogalsky  
Scarlett Tanous  
Eliza Harbert  
Mariel Levi  
Kyle Gatward  
Nicholas Lehr  
Connor Marden  
Nicholas Wallace  
Dana Armstrong  
Todd Ayo  
Lauren Zubick  
Valerie Warren  
John McKenna  
Jessica Walsh

Harley Champion  
Robin Manni  
Richard Axton  
Julia Hibbs  
Jillian Farber  
Karen Brown  
Allison Armstrong  
Kenna Little  
Andrew Marasco  
Jacob Hager  
Michaela Aiello  
Chelsea Sanford  
Joaquim Teixeira  
Jenna Hively  
Hannah Paton

Destinee Verwold  
Michaela Caul  
Haley Andreas  
Stephanie Garner  
Cassidy Morrison  
Lauren Johnson  
Ariana Gasper  
Stehly Barr  
Samantha Sanders  
Meghan Dahlgren  
Ryan Carter  
Ayla Glim  
D'Sean Daniels  
Cathleen Bettiga  
Brian Noyes-Watkins

Julia Robinson  
Lauryn Nichols  
Jennifer Williams  
Deidra Lujan  
Jessica Robe  
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## Sandy Claws

**S**TITCH & BAILEY ACTON, 2 and 13 respectively, are brothers, and like many brothers, get along by ignoring each other.

Bailey, a soft-coated wheaten terrier, is the elder, and thus pretends that Stitch is invisible.

Bailey had Mom almost all to himself until Stitch entered the household a year ago at the age of 1. "Almost always" because Willis, a yellow nape Amazon parrot, had been a family member for almost 11 years when Bailey came on the scene. Willis was 23 when Stitch joined the Acton clan.

You may have seen Willis, sitting greenly in his sun porch cage-with-a-view on Scenic Road, across from Carmel Beach. He loved watching people and

dogs go by, and if an elderly couple came within eyeshot, Willis would rend the air with a piercing wolf whistle, thus embarrassing Mom who frequently was mistaken for the audacious whistler.

The first month Stitch joined the household, Willis abandoned his cage and waddled over to say hello to Stitch. Instead, Stitch said good-bye, and that was the end of Willis. Although heartbroken, Mom forgave Stitch because he can't help his inherited proclivities.

When little Stitch hears raccoons on the roof, or burglars in the basement, he barks his wee little bark. Bailey, who is deaf and can't hear marauders, picks up on Stitch's alarm, and adds to the hue and cry with his deep, resonant bark, thus assuring the safety of beloved Mom Sharon.

**By Margot Petit Nichols**



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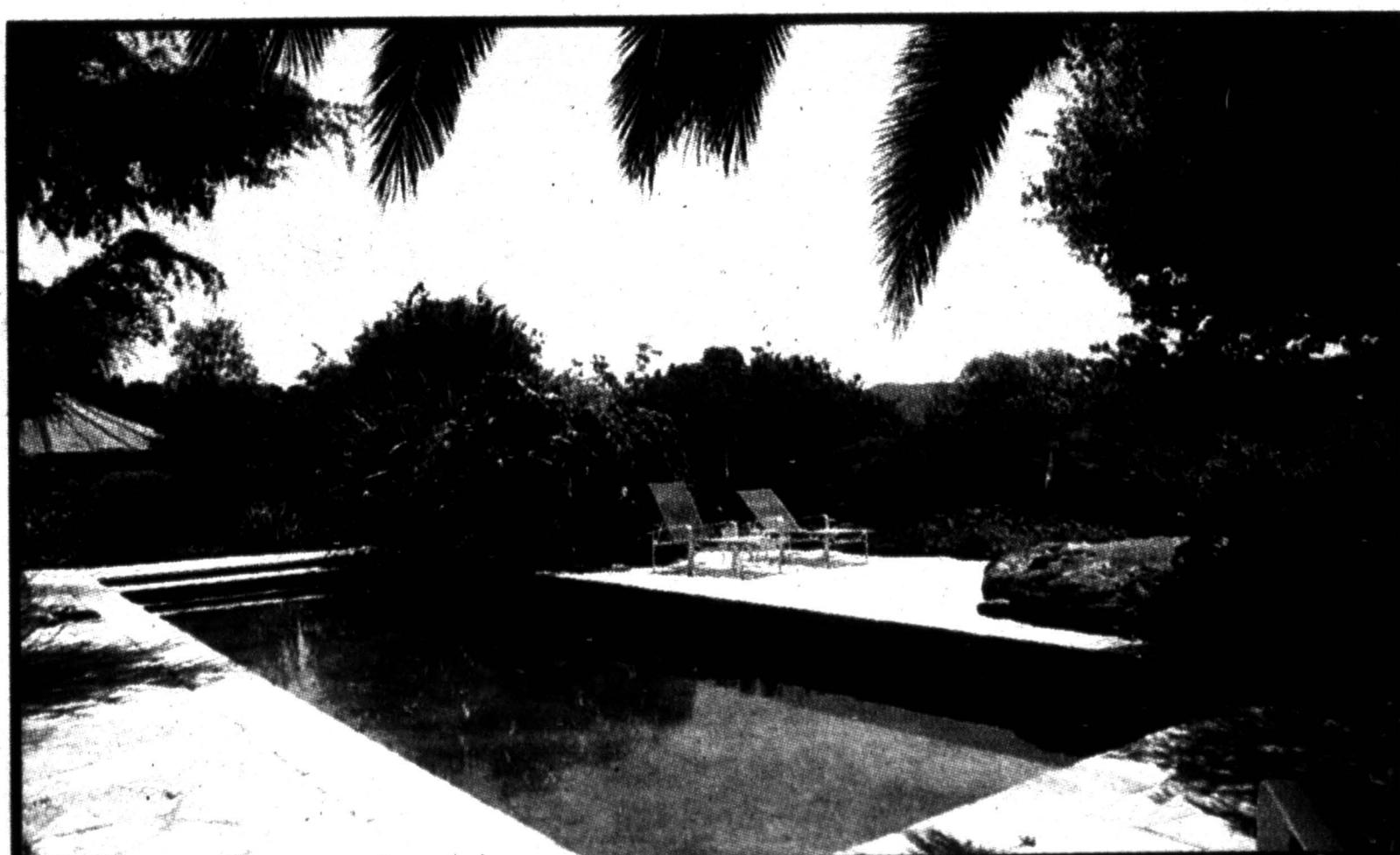
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SECTION B ■ October 1 - 7, 2004

The Carmel Pine Cone

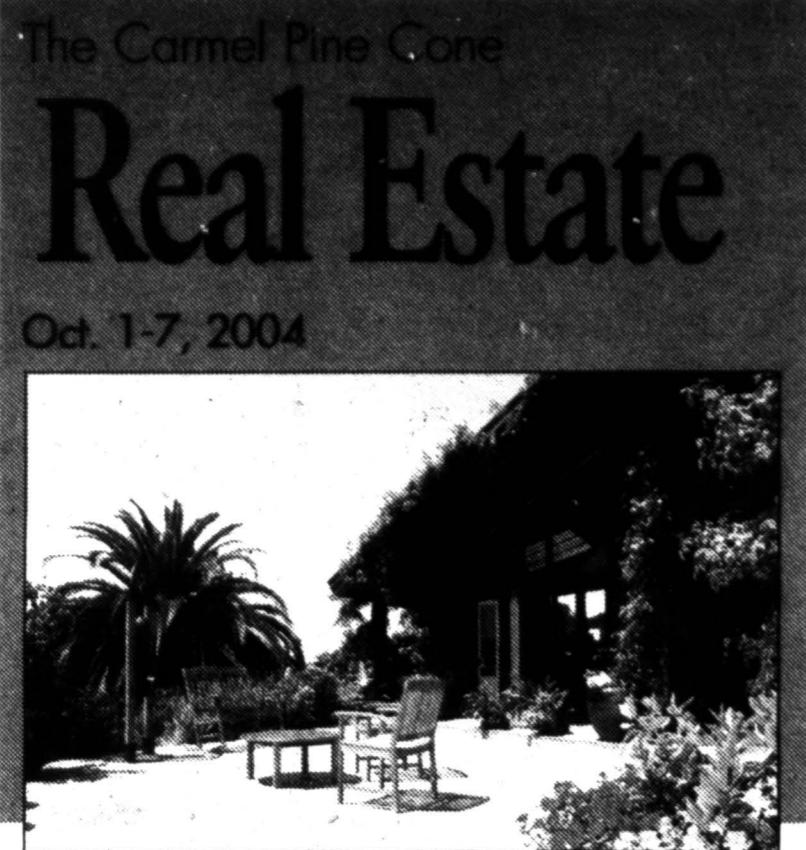
# Real Estate



*Take your Spouse to an Open House!*

■ This week's cover property, located in Carmel, is presented by Barbara & David Ehrenpreis of The Mitchell Group (see page 2B)

**M|M**  
**M|M**  
THE MITCHELL GROUP  
REAL ESTATE

**About the Cover****"Tranquility"****A Dramatic Carmel Residence**

On two+ landscaped acres with mountain vistas and an ocean peek, conveniently located close to shopping and golf, is a serene and secluded hidden paradise. Amid walkways, waterfalls and fountains are a light-flooded, exquisitely finished 3,500 sq. ft. main house with soaring ceilings; a complete and refurbished 1,700 sq. ft. guest house; a pool and pool house; a putting green; and fruit, vegetable and flower gardens. This property has a rare sensibility — a tasteful and personalized blend of East meets West. Some distinctive features include: a lavish kitchen with maple cabinets, Carrara marble counters and state-of-the-art appliances; a handcrafted wine cellar; a library/media room with maple cabinets; a custom sound system and light system throughout; Rajah slate flooring; decks and walkways of Idaho quartz. Every detail is a gem. This much-loved, one-of-a-kind home is ready and waiting to meet its new owner.

\$3,900,000



**Barbara & David Ehrenpreis**  
(831) 624-1861  
[www.ehrenpreis.mitchellgroup.com](http://www.ehrenpreis.mitchellgroup.com)

**REAL ESTATE****Home sales the week of September 5-11, 2004****CARMEL****CAMINO REAL 2 NW OF 7TH: \$3,225,000**

Chris & Anne Tescher to Paul & Robin Bystrowski  
**MONTE VERDE 5 NE OF 5TH AV: \$1,635,000**  
John C & Shirlee J Wilcox to Robert C & Rita C Colwell  
**3405 TREVIS WY: \$1,131,500**  
Nancy G Wright to Alexander & Galena Bordetsky

**CARMEL - SOUTH COAST**

None

**PEBBLE BEACH**

None

**CARMEL VALLEY****CHAPARRAL RD: \$800,000**

Mary E Gayman to Accustom Development  
**86 CALLE DE QUIEN SABE: \$725,000**  
Romel & Susie Posada to Bernabe G & Elvira R Cardenas

**22 VALLE VISTA DR: \$675,000**

James A & Michelle A McKenzie to Pamela W Lawrence  
**27625 SELFRIDGE LN: \$1,000,000**  
Anthony & Joan M Rossi Jr to Michael L & Linda S Miller

**4235 CANADA LN: \$900,000**

Marv Watts Jr to Billy P & Sarda Desmond  
**11585 RANCHO FIESTA RD: \$655,000**  
Ken Griggs to Steven & Christane Detti Kennedy

**3850 RIO RD: \$650,000**

Marvin J & Marilyn R Brenner to James V & Grace Cheng  
**5463 QUAIL MEADOWS DR: \$1,850,000**  
Michael W & Laurie B Hara to Robert M & Catherine Joyce L Lee

**8 WAWONA: \$615,000**

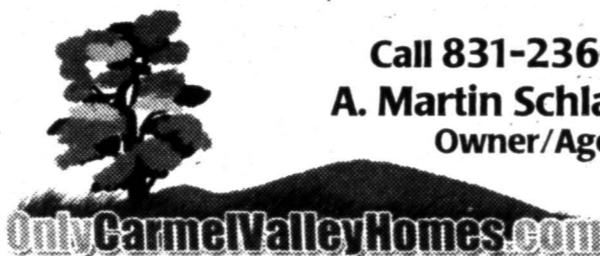
Giuseppe S & Josephin R L Savona to Justin A Iles

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Carmel, CA 93923**COLDWELL BANKER****DELMONTE**

**Tim Allen & Greg Linder**  
present  
Al Smith's  
*"Carmel Legends"*

If you didn't know it was there, you might easily pass by the GREAT WALL OF CARMEL. It's a Carmel stone monument, 2-1/2 feet wide and slightly higher than a man's head, that completely encloses an entire block. 4th and 5th Avenues are on north and south, Guadalupe on the east, Santa Rita on the west. All along the top of the wall are jagged stones set on an edge, a distressingly sadistic touch. The wall dates from 1925, when a man named Smith (from Southern California) caused it to be built by two stone masons who spent three years on the project. He planned a major estate on the property, but went no further than a caretaker's cottage, elaborate walks, patios, pools, and a giant BBQ pit before his interests led him to a farm in the lower Carmel Valley and his block was sold.

He headed back south, and today there are many small lots and private homes inside the enclosure. A few gateways have been broken through, and here and there a growing pine tree is winning the war of the wall. Start at Guadalupe and 4th where you'll find the main gate, a forbidding iron structure with the initial "S" set in small stones beside it, then walk around this interesting block... you'll enjoy it. You might even hear the hoof beats of the horse who haunts the great wall!

*Written in 1987 & 1988, and previously published in The Pine Cone*

**Tim Allen & Greg Linder**

**Tim ALLEN AND GREG LINDER PRESENT**  
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**YOUR DREAM COTTAGE BY THE SEA**

This perfectly remodeled 2 bedroom with den & 2.5 bath beach cottage has it all. From its location to its gourmet kitchen and ocean view guest suite, this home will delight you for years. \$2,195,000

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Easy living in the heart of downtown Carmel is yours from these fantastically appointed 3 bd/ 3.5 ba state-of-the-art townhomes! Gourmet kitchens and spacious master suites. Top floor unit has an ocean view rooftop deck. \$2,995,000- \$3,395,000

**OCEAN VIEW MEDITERRANEAN**

View Carmel Bay from one of Carmel Point's finest examples of Mediterranean architecture. Steps from the beach, remodeled in the 90's, this move-in condition home boasts 4 bedrooms and 4 baths. \$5,295,000

**"LE PETIT PAPILLION"**

This is one of Carmel's finest jewels. A cottage like no other, this newly completed 2 bedroom 2.5 bath home sets a new standard. This gem boasts cherry floors, a kitchen to delight the gourmet and a romantic master suite. \$1,849,000

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**COLDWELL BANKER****DELMONTE**

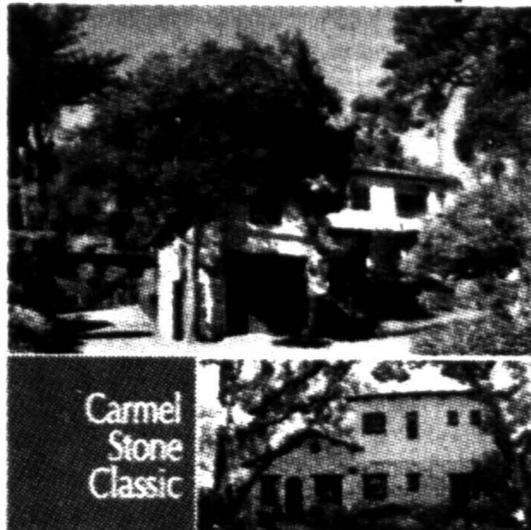
# THE MITCHELL GROUP REAL ESTATE

Bedrooms: 2  
Baths: 3  
Sq. Ft.: 1,640  
Price: \$1,998,000

Built in 1924, this home is located on .35 of an acre in Hatton Fields. Plans are available for a 5,000+ sq. ft. residence designed by John Matthams. Plans also include a separate guest house with full kitchen.

624.0136

CARMEL

Carmel  
Stone  
Classic

PEBBLE BEACH

Bedrooms: 4  
Baths: 2  
Price: \$2,495,000

Opportunity is knocking. This prime front-line MPCC golf course property offers beautiful ocean views over the new Shore Course. The older residence awaits your new plans for the construction of the golf-front home of your dreams.

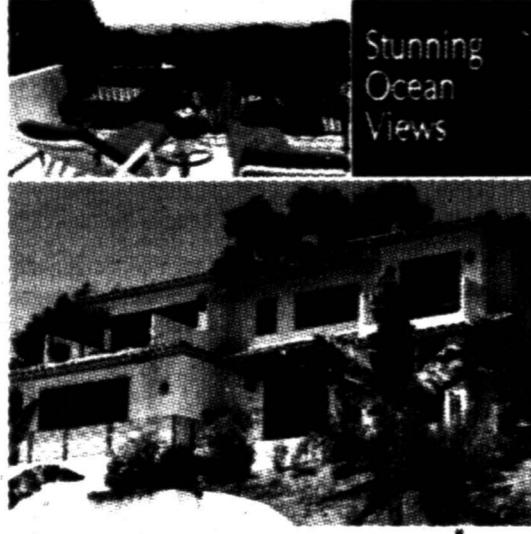
624.6482

Bedrooms: 4  
Baths: 3.5  
Sq. Ft.: 3,000  
Price: \$1,850,000

Set on private 1/2 acre and minutes to beach, this home boasts limestone walkways, a stunning entry, gourmet kitchen with granite countertops, high coved ceilings, marble wet bar and fireplace.

624.6482

APTOPS

Stunning  
Ocean  
Views

SOUTH SALINAS

Bedrooms: 5+  
Baths: 2 full/2 half  
Sq. Ft.: 3,482  
Price: \$1,250,000

First time on the market for this Mediterranean-style home, which offers the best in Old World charm. The floor-plan includes a finished basement with large social hall, Carmel stone front fireplace and more.

646.2120

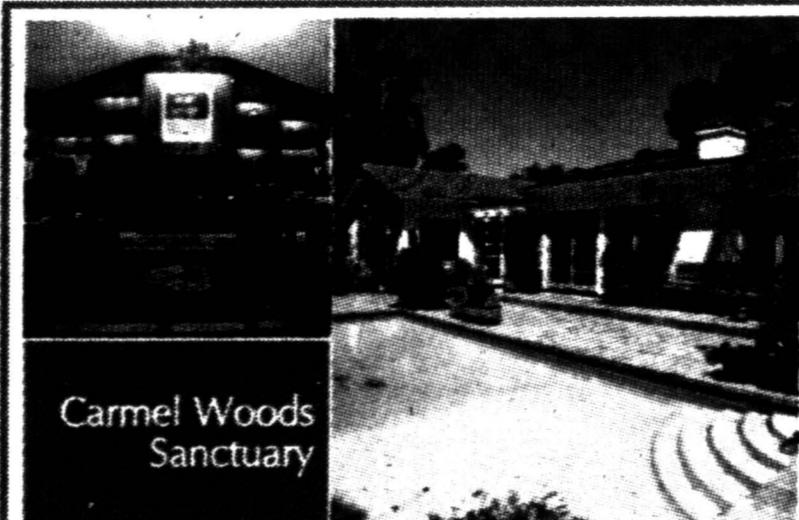


Bedrooms: 3  
Baths: 3  
Sq. Ft.: 3,100  
Price: \$1,399,000

659.2267

CARMEL VALLEY

Recently remodeled Post Adobe home surrounded by lush gardens, olive orchard, hot tub, picturesque pool and a separate guest unit. Other amenities include wine cellar, radiant heat, white oak and tile floors plus glorious views overlooking Stone Pine.

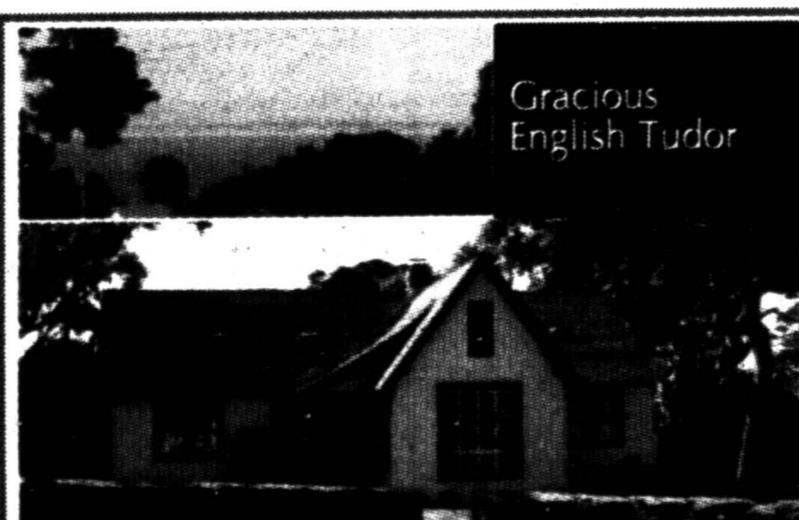


Bedrooms: 3  
Baths: 4  
Sq. Ft.: 3,300  
Price: \$2,195,000

624.0136

CARMEL

Private, serene, peaceful...This masterpiece, perfectly sited on a quarter acre, lushly landscaped parcel, is indoor/outdoor living at its finest, with French doors everywhere, inviting you out to sit by the pool by day, or on the deck with fireplace by night. Exquisitely appointed.

Gracious  
English Tudor

Bedrooms: 4+  
Baths: 3+  
Sq. Ft.: 3,100  
(all figures include apt)  
Price: \$1,699,000

646.2120

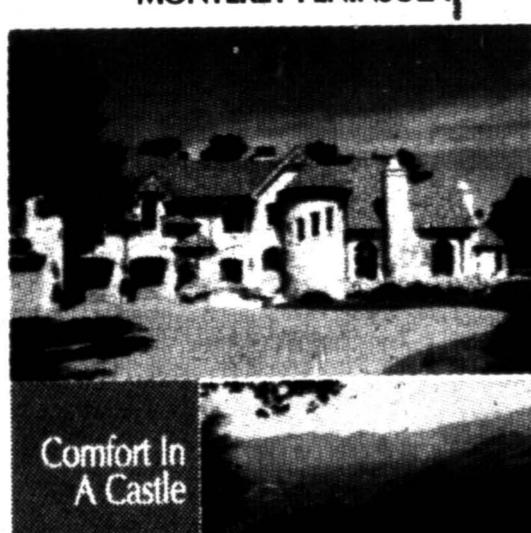
PACIFIC GROVE

Located on a 1/4 acre, this wonderful home was custom built in 1933 and remodeled in 1998. Enjoy bay views amid stately oaks on the lovely grounds, perfect for outdoor entertaining. Legal one bedroom apartment located above a four car garage.

Bedrooms: 6  
Baths: 5.5  
Sq. Ft.: 8,000+  
Price: \$4,999,999

One of the most stunning homes ever built on the Peninsula, this authentic stone house with a versatile floor-plan offers vaulted ceilings, extensive views, ten fireplaces plus an artist's studio.

646.2120

Comfort In  
A Castle

Recognized By  
Who's Who In Luxury Real Estate

CARMEL-BY-THE-SEA  
624-6482

CARMEL RANCHO  
624-1566

CARMEL VALLEY  
659-2267

PACIFIC GROVE  
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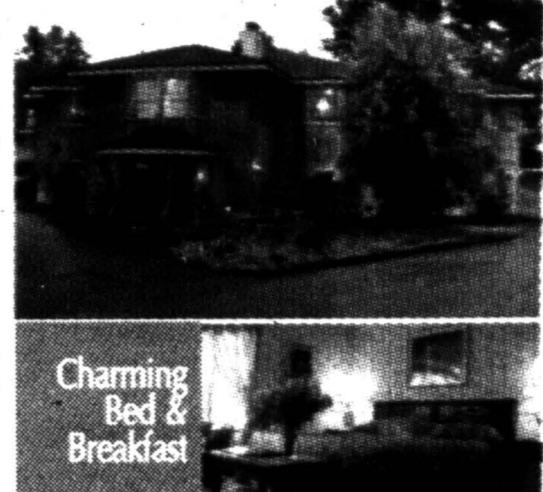
CARMEL-BY-THE-SEA  
624-0136

Lot Size: +1/3 Acres  
Price: \$2,200,000

The Pickford House Bed and Breakfast is a rustic Victorian mansion overlooking the Santa Lucia Mountains. It boasts eleven bedrooms and baths, a commercial kitchen with 1865 Saloon Bar from the Buffalo Hilton, beer and wine license, grand hotel style interiors.

659.2267

CAMBRIA

Charming  
Bed &  
Breakfast

PEBBLE BEACH

Bedrooms: 3  
Baths: 3  
Sq. Ft.: 1,700  
Price: \$2,250,000

Excellent location with ocean views and only one block to the beach. First time on the market, this home is set high on the lot with a good floor plan, one car garage, and a nice back yard.

624.0136

MONTEREY



Bedrooms: 3  
Baths: 1  
Sq. Ft.: 1,000  
Price: \$679,900

Remodeled charmer with skylights, some hardwood floors, quaint kitchen with vintage range, Corian counters and hand painted tiles. Garden, used brick patio and walkways, framed by mature oaks. Quiet side street location!

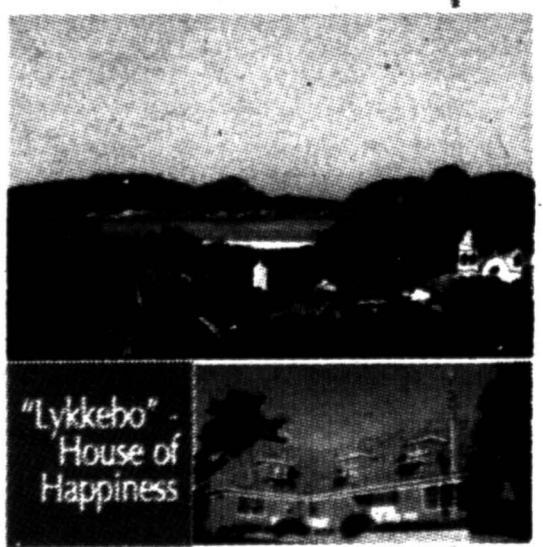
646.2120

Bedrooms: 3  
Baths: 3.5  
Sq. Ft.: 2,600  
Price: \$955,000

With its high ceilings, two master suites, attached two car garage plus a large bonus area for storage/studio/workshop, this condo is in pristine condition. Secluded patio/deck in rear offers privacy and forested views.

659.2267

CARMEL



Bedrooms: 4+  
Baths: 3+  
Sq. Ft.: 3,800  
Price: \$3,750,000

This spacious home with ocean views is located on a private cul-de-sac above the Carmel Mission. Bordered by a green belt, this stunning home plus adorable guest house, is set on a 4/10th acre parcel.

624.0136

For a list of our Open Houses this weekend, please turn to the Directory on Page 10B.

[mitchellgroup.com](http://mitchellgroup.com)

# Southband interest rates create opportunities for home buyers

By RITA LEWIS

REMEMBER ALL those economic forecasts earlier this year — the ones that said mortgage rates would rise steadily through the remainder of 2004 and cool off the red-hot housing market? Well, something funny happened on the way to higher mort-

gage rates. They actually took an unexpected detour and have headed south again.

Despite widespread predictions of higher interest rates, average rates for long-term mortgages have in fact dropped back below 6 percent, offering a second chance for Monterey Peninsula home buyers hoping to get into the market, as well as homeowners

trying to refinance higher-rate mortgages.

Average rates for 30-year fixed-rate loans hovered at about 5.7 percent last week, according to Freddie Mac, the mortgage finance company. That's a far cry from the 6.5 percent that the nation's mortgage and real estate trade groups predicted we'd see by the end of this year. In fact, the average 30-year rate is now lower than it was a year ago at this time.

At the same time, the average rate for a 15-year fixed-rate mortgage has fallen to 5.1 percent, down from 5.46 percent a year ago. Average one-year adjustable rate loans, however, are up slightly over the past year, standing at 4 percent compared with 3.86 percent a year ago.

Freddie Mac has revised its forecast for a much more mild and gradual increase in mortgage rates, now predicting that long-term loan rates will edge up to about 6 percent by the end of 2004. At the same time, the Mortgage Bankers Association has also revised its forecast to 6.2 percent. The change in rates may be one reason the National Association of Realtors reported last month that home sales are on a pace for a record year in 2004.

The unexpected dip in mortgage rates has a very real impact on those thinking about taking out a new loan. On a \$300,000, 30-year fixed-rate mortgage, for example, the difference between the predicted 6.5 percent rate



Rita Lewis

and today's actual average of 5.8 percent adds up to a \$1,632 savings over the period of a year.

Lower interest rates have helped keep the Monterey Peninsula's housing market surprisingly strong as summer gives way to fall. Although real estate sales traditionally taper off a bit this time of year, we're still seeing a healthy market for existing home sales. Interest rates — coupled with pent up consumer demand — certainly are playing a role.

So what's fueling this surprising decline

See **RATES** page 7B

## OPEN SAT. & SUN. 1-3

SE corner Scenic & 10th, Carmel

3 Bedroom/3 Bath  
Offered at \$5,950,000



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**BEAUTIFUL CARMEL LOT.** Stunning, uninterrupted Pt. Lobos & ocean views. Approximately one acre lot. Located at the end of a quiet cul-de-sac in High Meadows. Owner applying for well. Sellers interested in a 1031 exchange & will very seriously consider taking a house in trade. **\$1,200,000.**

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**VACATION RENTALS.** Carmel cottages with a charm & individuality that is the essence of Carmel-by-the-Sea. The beautifully maintained & updated cottages offer 2 bedrooms, 2 baths, inside laundry, fireplace, sofa sleeper, garage & are within walking distance to town. Please call **Beverly Allen, ext. 11** for long-term & vacation rental information.



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# Master treat...



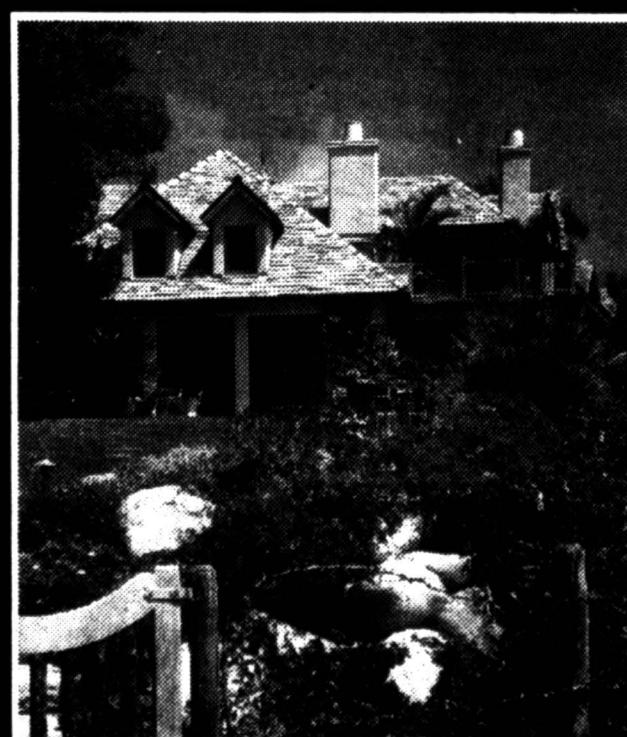
Robin Aeschliman

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## Unique Monterey Peninsula homes

# THE BEST HOUSE: On the road from P.G. to Monterey

PINE CONE STAFF REPORT

**I**N THE early decades of the 20th century, Pacific Grove and Monterey were separated not only by the Presidio, but by more than a mile of open land.

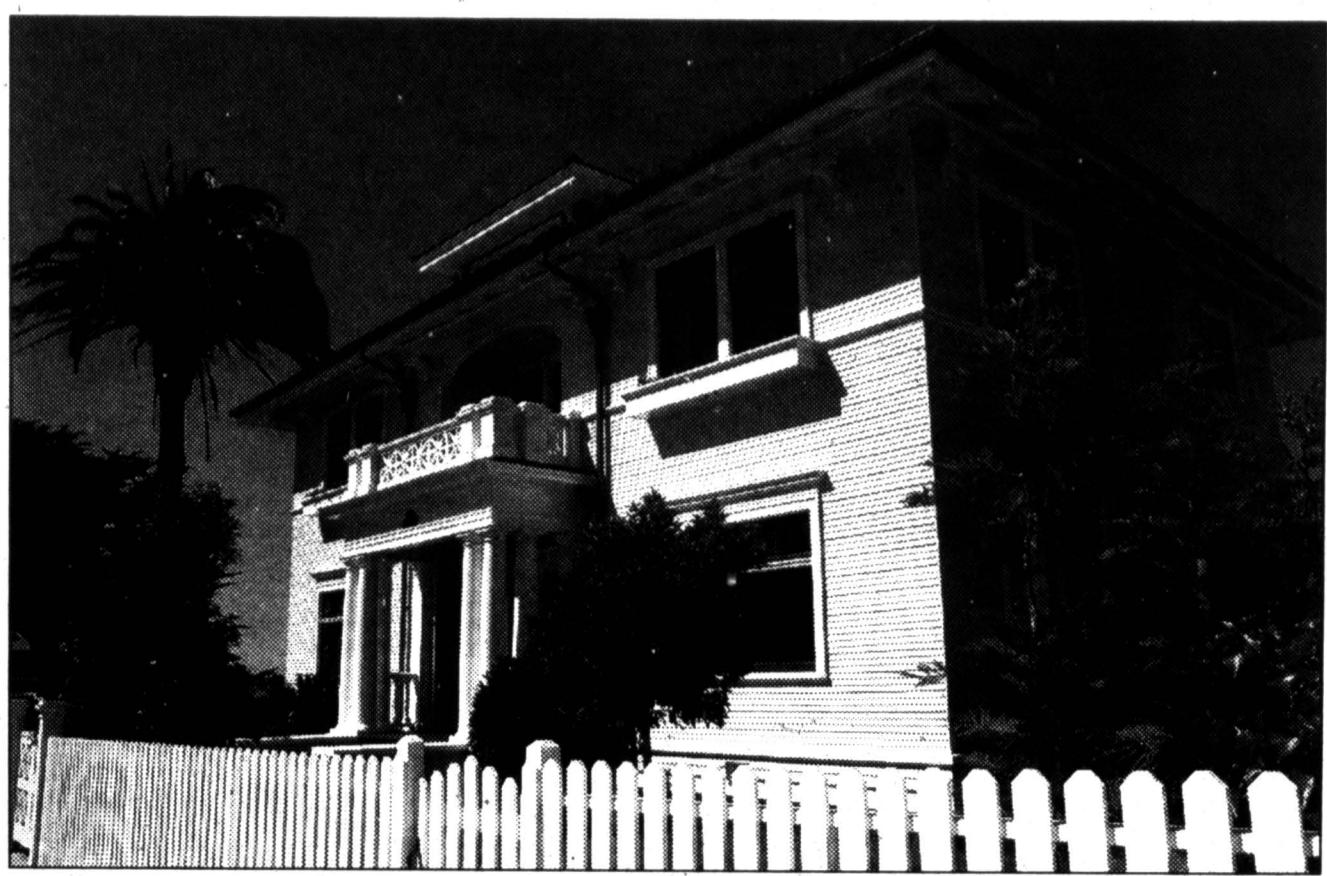
In 1907, as the cities inevitably began to grow together, one of the Monterey Peninsula's earliest physicians, Adam Marsden Ritchie, began construction on the first house to be built along the Pacific Grove-Monterey road. Made almost entirely of redwood, Ritchie's house, at 190 Central Ave., was a stately Georgian mansion with grand views of the bay and

the surrounding countryside. Built by the Chivers brothers, who also built P.G. City Hall, the Ritchie mansion presided over the surrounding countryside as it evolved into the vibrant neighborhood we know today — including the aquarium and the rec trail, which are just a few blocks away.

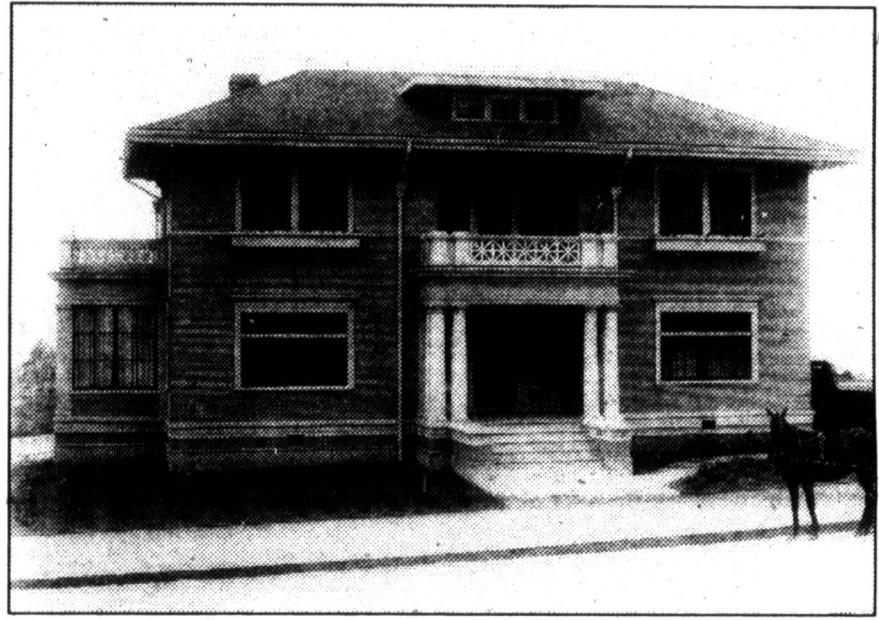
But after Ritchie died in the 1920s and his widow passed away in 1943, their home was vacant for a while and then was converted into a chiropractor's office.

Now, an anesthesiologist from Georgia, Donald Davis, has spent almost \$1 million restoring it to its original character.

"The house had such good bones, all it needed was some tender loving care," Davis said. But his version of TLC included removing 14 layers of paint, updating the wiring and plumbing, installing radiant heat (every room has its own thermostat), putting in an updated but authentic kitchen and replastering the walls.



The house at 190 Central in P.G. was new in 1913 (below) and has now been restored to its original glory (upper right).



"We basically touched every system and aspect of the house," Davis said.

"The homes is truly a masterpiece of renovation perfection and grace," said Craig Anapol of Alain Pinel Realtors, who has the listing at \$2.875 million.

At 4,000 square feet, the home has four bedrooms and 4.5 baths, Anapol said.

"People who see it tell me they can tell it was a loving restoration, not just a renovation," Davis said.

To arrange a viewing of the home at 190 Central, call (831) 620-6139.

**Real Estate agents:**  
To nominate a home for this column, send an e-mail to [mail@carmelpinecone.com](mailto:mail@carmelpinecone.com) or call (831) 624-0162

Find out why *Sunset Magazine's* two favorite places are Carmel & Vashon Island Washington...

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The Ultimate  
Beach House

Mike Verharen 866-253-9110

120 ft of No-Bank waterfront on over an acre. 4000+ sqft  
stylish remodel with large boathouse & launch ramp.

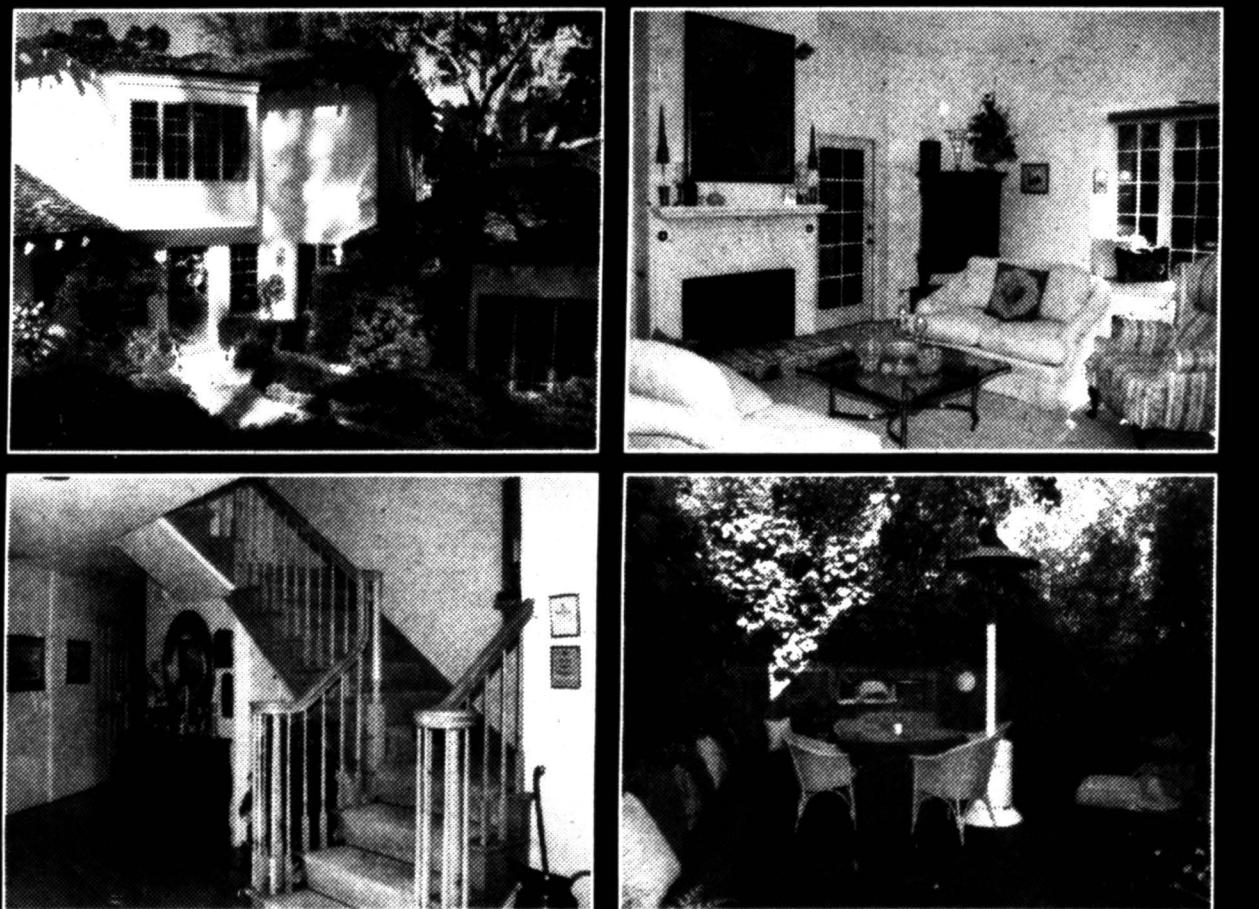
Close to Seattle & airport.

See website for photos.

Windermere  
Windermere Real Estate/Vashon Island, Inc.  
\$1,250,000

The Essence of Carmel

ALAIN PINEL  
REALTORS



Fabulously private and enhanced by a large, lushly landscaped lot, this 3 bedroom, 3 bath residence is imbued with the very essence of Carmel, while also offering all the benefits of a new home. Just a short distance to town, this beautifully appointed property offers 2 Master suites, a spacious living room, large dining room, and 3 fireplaces, one even in the kitchen.

Offered at \$2,229,000



Judie Profeta  
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**Our customer referrals speak for us!**

Lauren Perez, First Time Buyer, Seaside: "I came to Mission Hills hoping Markus could help me with a loan. Buying my first home at age twenty, I had reservations about my choices, but Markus showed me many options and helped me to pick the best one for me."

James and Barbara Moore, Buyers, Marina: "Markus was fabulous! The process was extremely easy and simple. We weren't sure what to expect, but Markus laid it out in layman's terms! Thank you Markus!"

Steven & Vickie Norman, Buyers, Seaside: "With Markus it's all about satisfying the customer. He really listened to our concerns & expectations and matched each of them with confidence and a willingness to achieve our goal. He worked miracles! Call him!"

**Just a few on our list. We can help you, too!**

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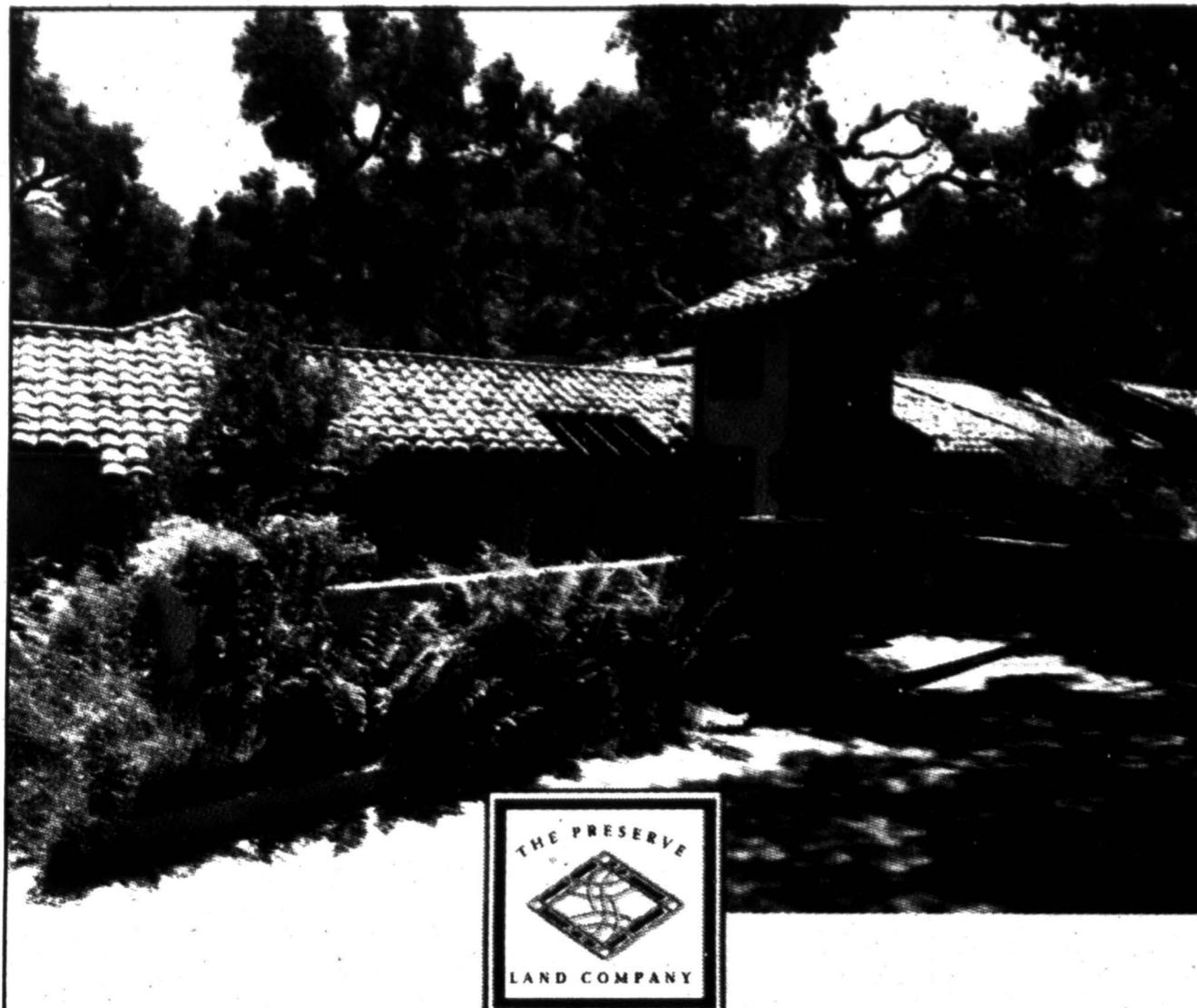


Markus

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Laura

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Santa Lucia Preserve, Carmel

## Redefine “Living Room”

This charming, creek side home is nestled in the oaks and dappled with sunlight. It is within easy walking distance of the Hacienda and sports complex. The main house has a greatroom with fireplace, kitchen, dining room, master suite and second bedroom, and features wonderful outdoors spaces for entertaining and hot tubbing under the stars. The adjoining guesthouse has two bedrooms with a bath and a half. 13 Garzas Trail is offered at \$3,900,000.

For information: Janet Fitzpatrick 831.620.6769 or Gary Pepin 831.620.6763

The Preserve Land Company, Inc., Carmel, CA 831.626.8200 [www.santaluciapreserve.com](http://www.santaluciapreserve.com)



Obtain the Property Report required by Federal Law and read it before signing anything. No Federal Agency has judged the merits or value, if any, of this property.

## POLICE LOG

From page 4A

**Carmel-by-the-Sea:** Follow-up investigation conducted concerning an allegation of injuries sustained during a wildlife incident that occurred on 09-13 at 2108 hours in the

area of Lincoln and Seventh.

**Carmel-by-the-Sea:** Engine 7111 reported a fire alarm activation at a Dolores Street business at Seventh Avenue. On scene, investigated the building on arrival of the responsible party and found it to be clear of any causes for the fire alarm activation. The owner contacted the alarm company to have the system serviced



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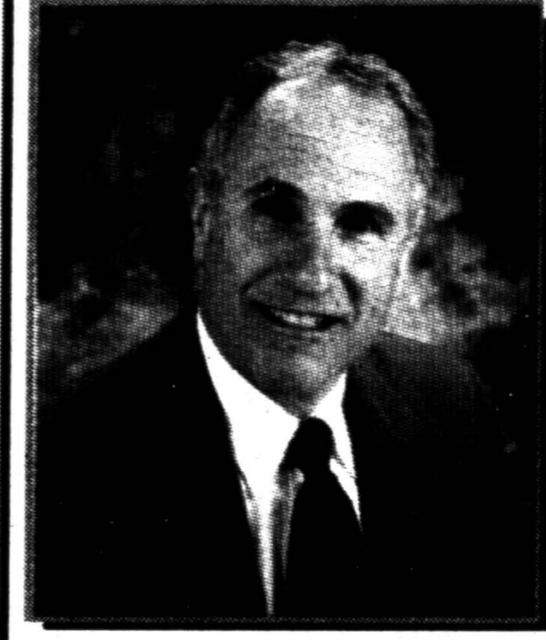
Is Pleased to Announce

### Tom Faia

Has Joined Our Team of Talented Professionals.

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Tom Faia moved to the Monterey Peninsula in 1952 and is a graduate of Carmel High School.



He received a Bachelor of Arts degree from Oregon State University and spent many years in Hollywood and Nashville working as a songwriter.

Tom has been a Realtor since 1985 and resides in Pacific Grove with his wife and daughter.

“I love homes and I love people. I enjoy putting the two together.”

You Can Contact **TOM FAIA** At **831.277.6971**

Email: [tomfaia@mitchellgroup.com](mailto:tomfaia@mitchellgroup.com)

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**Monterey**  
“Stately Monterey Cape Cod!”  
3 BR, 2.5 BA, 2 FP  
Gourmet kitchen, radiant heat  
\$1,245,000



**Carmel-by-the-Sea**  
“It's New, It's Stunning, It's Smart!”  
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New construction, Teak decks  
\$1,895,000

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“European Elegance!”

Exquisite newly constructed custom home in Hatton Fields, one of Carmel's most desirable neighborhoods. Outstanding craftsmanship and only the finest materials have been used. Entering through an iron gate, this three bedroom, three bath, 3200 sq. ft. ocean view home, offers estate living at its finest. This fine home features a gourmet kitchen, four fireplaces, high tech sound system, stone patios, and a three car garage, all on a spacious lot.

\$3,295,000

*Ocean at Dolores, Carmel*



**Pebble Beach**  
“Best Buy in Pebble Beach!”  
3 BR, 2.5 BA, FP  
Hardwood floors, large lot  
\$950,000



**Santa Cruz**  
“Ocean-Front Treasure!”  
3 BR, 2.5 BA, 2 FP  
3,000 SF, Spectacular views  
\$1,950,000

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Long Term & Vacation Rentals

## RATES

From page 4B

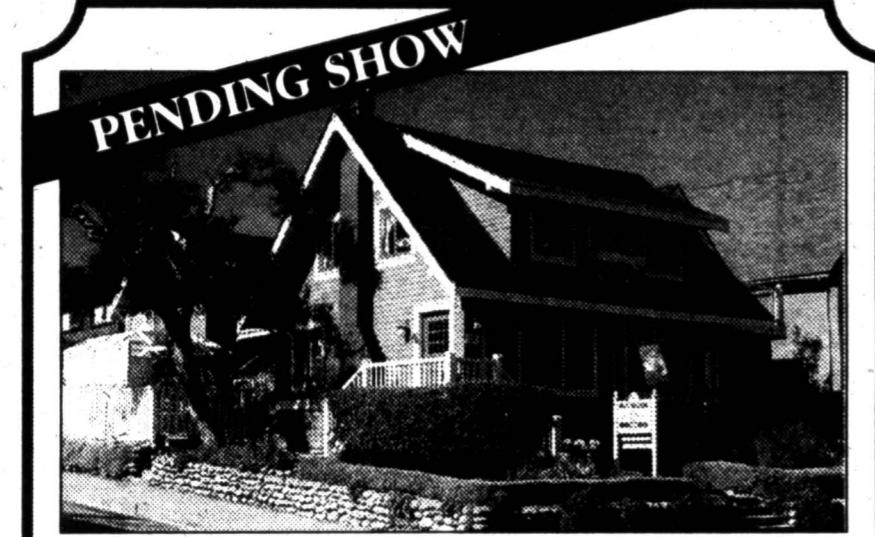
in long-term rates? Reduced evidence of inflation in the economy, a lack of substantial job growth and higher oil prices appear to be responsible. These factors have caused a dip in the bond markets, and mortgage rates are closely tied to activity in those markets.

Some analysts suggest the election is also helping keep interest rates low. They reason that the economy will not continue its upward growth until the country knows who will be president, and what his policies will be. If they're right, we won't see a significant increase until at least after the election.

There is evidence, however, that the economy is growing, albeit slowly, and the Federal Reserve responded by raising short-term interest rates in August. The goal was to keep the economy from growing too swiftly on an inflationary track. This move reassured investors that runaway inflation was not around the corner, causing them to put more money into long-term investments, keeping interest rates low.

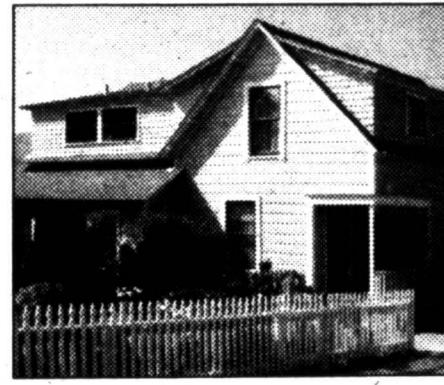
Regardless, one thing is certain: Rates will eventually rise. We've enjoyed some of the lowest mortgage rates since John Kennedy was in the White House, but obviously this won't last forever. As the economy picks up steam, analysts believe interest rates will begin rising once again.

So while historically low mortgage rates may be nearing the end of their extended run, the window has not yet closed. If you've been on the fence about buying or refinancing, but have worried about the talk of rising interest rates, consider yourself fortunate — you have one more chance to jump in



Pacific Grove 9-room B&B with 2-bedroom managers' quarters. Steps to the bay & recreation trail. \$2,200,000.

### OPEN SUNDAY 3-5 138 16th St. (x-st: Central), Pacific Grove



This 3 bd/2 ba Victorian was rebuilt and enlarged in 1996 to 1,995 sq. ft. It has all the charm of yesteryear with today's amenities. Minutes to the bay and the hiking/biking path. Owner/broker. Asking \$1,175,000.



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Rita Lewis, vice president and managing broker of Coldwell Banker Del Monte Realty on the Monterey Peninsula, provides the above tips. A 24-year real estate veteran, Rita oversees a talented team of real estate professionals with offices in Carmel, Pacific Grove and Pebble Beach. She can be reached at (831) 626-2202 or by e-mail at [rlewis@cbnorcal.com](mailto:rlewis@cbnorcal.com).

## POLICE LOG

From previous page

and determine cause of activation.

**Carmel-by-the-Sea:** Engine 7111 and battalion chief paged out for a commercial fire alarm activation at Dolores and Seventh. All units canceled. Store owner advised that it was the same problem with the alarm system as the previous call. A technician was en route to assess and repair the system.

**Pebble Beach:** Deputies responded to a report of a suspicious looking pipe on the beach near Bird Rock. Responding deputies could not determine if the pipe contained explosives. Santa Cruz County Bomb Squad was requested to examine the pipe. The bomb squad determined the pipe was empty and posed no threat.

TUESDAY, SEPTEMBER 21

See POLICE LOG page 8B

Personalized,  
Not Franchised

Becky Jones, Realtor  
831.372.5306  
[becky@shanklerealestate.com](mailto:becky@shanklerealestate.com)  
[www.beckyonline.com](http://www.beckyonline.com)



### Oak Hills

Beautiful 4 BD, 2.5 BA Oak Hills home with over 2,000 sq. ft. of living space on large 14,000 corner lot. New tiled bathrooms, new carpet & paint throughout, double pane windows and lots more. \$665,000



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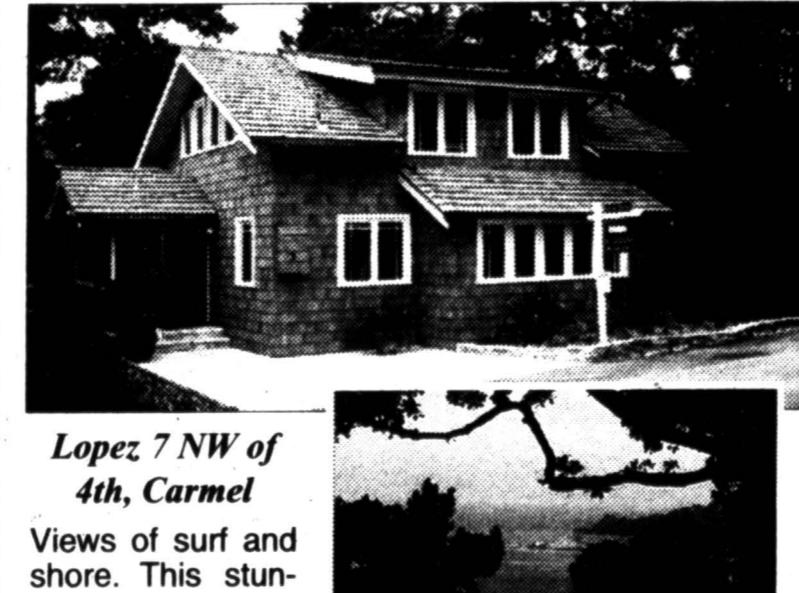


COLDWELL  
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### Song of the Sea Cottage

OPEN SAT & SUN 1-4



#### Lopez 7 NW of 4th, Carmel

Views of surf and shore. This stunning Craftsman remodel (to the studs) has just been completed by an International award winning designer. Only a three block stroll to beach and town. You have truly found the Carmel cottage of your dreams. Four bedrooms, two baths, fabulous large yard with oceanview deck. Carmel stone walkways, parking pad, fireplace and meandering garden walls. Honed travertine baths, hand hewn beams, hardwood plank floors, granite, Viking, the works! \$2,150,000



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Ocean Avenue at Dolores, Carmel-by-the-Sea

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%  
less  
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### Typical savings with Empire

Home Value	Savings	Home Value	Savings
\$550,000	\$12,500	\$1,250,000	\$30,000
\$700,000	\$17,500	\$1,500,000	\$37,500
\$900,000	\$20,000	\$2,000,000	\$50,000
\$1,000,000	\$25,000	\$3,000,000	\$75,000

### BUTTERCUP IN HATTON FIELDS

26016 Atherton Dr.

CARMEL COTTAGE. Just listed! Charming 2 bd/1.5 ba updated cottage in a great area. Hardwood floors, vaulted ceilings, large living room with fireplace, separate family room with wood-burning stove, modern kitchen. \$995,000. Call Shirl 915-1424

### WOODSY RETREAT IN MONTEREY

640 Martin Street

Peaceful setting in the heart of Monterey, yet far from city noise. 2,100 sq. ft. with 3 BD, 3BA. Wonderful floorplan with gourmet kitchen and huge master suite with deck and jacuzzi tub. Offered at \$935,000. Call Shirl 915-1424



### GREAT MONTEREY LOCATION

10 Ladera

This 3BD/2BA home sits on a private lot and has been updated with double paned windows, fresh paint, updated kitchen and more! Truly a must see!

REDUCED TO \$799,000  
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6-acre parcel with beautiful flat lot set near showcase redwood grove

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4.4-acre parcel overlooking the fourth fairway of the Tom Fazio designed golf course

### LOT 2 - \$995,000

20-acre parcel, lovely oaks, redwoods and mountain vistas with easy access to the front gate

### LOT F-4 - \$1,200,000\*

3.5-acre flat parcel with expansive views, close to the sports and activity center

### LOT 188 - \$1,200,000\*

86-acre parcel near the front gate with large vista of beautiful valley and ridges

### LOT 102 - \$995,000

6.5-acre flat building site with beautiful meadow outlook, good sun and trees

### LOT 223 - \$1,295,000

23-acre parcel with plans permits for a 4,000 SF home - full equestrian use

### LOT 40 - \$1,300,000

5.5 acres with sun, trees and seasonal stream near Hacienda and activity center

\* FINANCING AVAILABLE

For more information about these lots or additional lots or homes available at The Preserve, please call the on site agents at The Preserve Land Company:

Janet Fitzpatrick (831) 620-6769  
or Gary Pepin (831) 620-6763

The Preserve Land Company, Inc., Carmel, CA 831.626.8200  
[www.santacipreserveland.com](http://www.santacipreserveland.com)

## POLICE LOG

From page 7B

**Carmel-by-the-Sea:** Lasuen resident reported construction noise before 0800 hours at his neighbor's house. Officer contacted a construction worker, who said he did not know about the ordinance. He was warned and his employer notified.

**Carmel-by-the-Sea:** A father and son were involved in a verbal dispute over the son's consumption of alcoholic beverages and the son's insistence of bringing female companions over and acting inappropriately while his preteen sister was present in other areas of the Torres residence. Father and son were counseled on the options available to them to resolve their differences. The son and his female companion elected to leave the residence and spend the night elsewhere.

**Carmel-by-the-Sea:** Engine 7111 responded to request for auto-aid to Cypress Fire Protection District for a structure fire on Carmel Rancho Boulevard. Engine secured the hydrant, deployed connections, performed as a rapid intervention crew and assisted with salvage while on the incident, which was a small working structure fire confined to the basement area of a multiple level commercial building.

**Carmel-by-the-Sea:** Engine 7111 responded to a medical emergency at Carmel Plaza. Firefighters assisted ambulance crew with vitals, c-spine, patient report information and loading of a male who had fallen on the sidewalk. The patient was transported to CHOMP by ambulance and the police were on scene to take a fall-on-city-property report.

**Carmel area:** Sheriff's deputies dispatched to a structure fire at a Carmel Rancho Boulevard building. Upon arrival, smoke was seen coming from the building at the roof. It was later determined the fire started in the basement and smoke spread throughout the building.

Citizens reported hearing an explosion prior to the fire. Two buildings housing numerous small businesses were evacuated. No injuries were reported. The fire caused damage estimated to be more than \$250,000. Arson investigation continues with CDF and MCSO.

**WEDNESDAY,  
SEPTEMBER 22**

**Carmel-by-the-Sea:** Follow-up regarding a dog attacking another dog on Carmel Beach that occurred on 05-16. Met with owner of the suspect dogs. The owner allowed a photograph of hij2

and his dogs to be taken so they can be eliminated as an involved party in this incident. Follow-up to be conducted by the animal control officer.

**Carmel-by-the-Sea:** Female parked her vehicle in the area of Mountain View and Santa Fe Wednesday morning and then went to work in the business district. When she returned after work, she noticed damage on the driver's side of the vehicle and the rear quarter panel. No information was left regarding a possible suspect vehicle.

**Carmel-by-the-Sea:** An anonymous female turned in a black leather bi-fold wallet found in the roadway at Mission and Sixth. Wallet contained owner's CDL, credit card, personal papers and cash. Notification letter to be mailed to owner.

**Carmel-by-the-Sea:** Engine 7111 and Ambulance 7166 responded to report of an 80-year-old female who had fallen down some steps at a store in Carmel Plaza. Assessed the patient and bandaged the abrasions on her face and legs. She refused further medical treatment and transportation to a hospital for further evaluation. Patient was advised of the risks and she signed a release.

**Carmel area:** Arson at a Scenic Road home under construction. Walls up but unlocked. Fire established with a flammable liquid and

### Casa "Olvida Penas"



This extraordinary 6 bedroom, 6.5 bath Pebble Beach compound exemplifies the "Mexican rural vernacular." Sited on a secluded acre, the property has an incredible main house, bedroom building, garages for 5 cars, staff quarters, greenhouse and gazebo overlooking a fabulous flower garden. "Olvida Penas" is listed on the National Register and has been extensively upgraded. \$3,595,000

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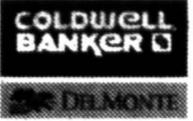
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Parrish  
&  
Wendy  
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The Preserve Land Company, Inc., Carmel, CA 877-626-8200 [www.santaluciapreserve.com](http://www.santaluciapreserve.com)



Obtain the Property Report required by Federal Law and read it before signing anything. No Federal Agency has judged the merits or value, if any, of this property.



Carmel,  
California



burned some rough materials such as stairs and flooring. No known suspects. Investigation taken over by CDF.

**Carmel Valley:** The U.S. Forest Service requested a deputy assist at the scene of a large fire at the Arroyo Seco campground.

#### THURSDAY, SEPTEMBER 23

**Carmel-by-the-Sea:** Female reported an unknown male adult was prowling around her apartment at Mission and Fifth and peeking into her windows. She immediately telephoned the police and the subject ran away. Area check made. Unable to locate.

#### FRIDAY, SEPTEMBER 24

**Carmel-by-the-Sea:** Subject advised that an anonymous citizen forwarded one yellow metal earring to her. She called the department and forwarded the earring to police.

**Carmel area:** Juvenile at Carmel High School found in possession of tobacco products by school vice principal. Subject cited.

**Carmel area:** Outlook Drive resident reported ongoing theft of shell-type rock from the hillside of his property and the neighbor's property. He desired no action other than contact of the offenders and issuance of a warning.

**Big Sur:** Manager of a Highway 1 restaurant and campground advised deputies of a female subject who was not welcome on the property. Contacted the female, who was asked to leave the premises due to past problems.

#### SATURDAY, SEPTEMBER 25

**Carmel-by-the-Sea:** Responded to a found property call on Camino Real and recovered a black leather tote bag with handles in a residential area. An owner was identified by papers inside the bag, but a phone number could not be found. A letter was sent to the owner informing him that his property was awaiting identification at the department. The bag was labeled and stored in the garage. (Possible transient.)

**Carmel-by-the-Sea:** Contacted a disoriented female adult who could not remember where she was staying and was lost. She was transported to the station and a records check was conducted. It produced a phone number of a family member who

See POLICE LOG pag 13B

#### PUBLIC NOTICE

##### PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Carmel-by-the-Sea will conduct a public hearing in the City Hall Council Chambers, located on the east side of Monte Verde between Ocean and Seventh Avenues, on Wednesday, September 8, 2004. The public hearings will be opened at 4:30 p.m. or as soon thereafter as possible.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or the City Council at, or prior to, the public hearing.

1. DS 04-106/RE 04-7  
Larry Feiner  
E's San Antonio bet.  
Ocean & 4th  
Blk HH, Lots 8 & 10

Consideration of a Demolition application and a Design Study (Concept Review) application for the demolition of an existing dwelling and the construction of a new dwelling located in the Residential (R-1) District and Beach Overlay District.

2. DS 04-26  
Carmel Plaza  
Ocean Ave bet. Junipero  
& Mission  
Block 78, Lot All

Consideration of a proposed architectural upgrade to the Carmel Plaza building and site design, including roofs, architectural details, landscaping, lighting and open space features located in the Central Commercial (CC) District.

3. DS 04-14  
Les & Nini Pelio  
W/s Scenic Rd bet  
Ocean & 8th  
Block C2, Lot 2

Consideration of a Design Study application and Beach District Permit for the alteration of an existing residence located in the Residential (R-1) District and the Beach Overlay (B) District.

4. DS 04-15  
Rob Johnson  
W/s of N. San Antonio  
bet Ocean & 4th  
Blk SD, Lot 4

Consideration of a Design Study for revisions to an approved plan for a residence located in the Residential (R-1) district and the Archaeological (AS) Significance, Park (P), and Beach (B) Overlay Districts

5. DS 04-14  
Mr. Dana Annereau  
2970 Franciscan Way  
Block 10, Lot 32

Consideration of the construction of a 265 square foot single car garage on a site that is nonconforming with regard to floor area located in the Residential (R-1) District

6. DS 04-109  
Sharon de St. Jeor  
S/E cor. Carpenter & 5th  
Block 3A, Lot 2

Consideration of a Track 3 Design Study application for the substantial alteration of an existing residence requirement in the Residential (R-1) District

6. SI 04-8  
Jack Galante  
S/W cor. Dolores & Ocean  
Unit B  
Block 75, Lot 1

Consideration of a sign application for an additional sign for a store located in the Central Commercial (CC) District

Date of Publication: October 1, 2004

PLANNING COMMISSION  
City of Carmel-by-the-Sea  
Rhonda Raghianti  
Administrative Coordinator

Publication dates: Oct. 1, 2004  
(PC 1008)

#### BUSINESSES & RESTAURANTS AVAILABLE

CARMEL BUSINESS SALES, INC. offers the Monterey Peninsula's largest list of available businesses, restaurants, motels and commercial property. Call, write or FAX for our free list.

DON BOWEN

**CARMEL BUSINESS SALES, INC.**

Carmel-by-the-Sea 625-5581 FAX 625-2057



*Fountain... ca. 1800's*

At the end of the myrtle-lined path. Beneath the hanging geraniums. To the right of the secret passageway. Catches the sun's rays... charms the entry garden. Estate-by-the-Sea. \$5,900,000.

Robin Feschliman  
www.robinfeschliman.com (831) 622-4628





FOR OVER A CENTURY, THIS LANDSCAPE HAS BEEN

## INSPIRATION

FOR WRITERS, PAINTERS AND PHOTOGRAPHERS ALIKE.

The beauty that has captivated artists for decades drew Clint Eastwood to this land years ago. High above Carmel's fabled coastline lies an exquisite 2,000-acre sanctuary called Tehama. Home to miles of pristine hiking trails, the Tehama Golf Club, and soon, the beautifully appointed Tehama Fitness Club. Custom homesites, 4 to 17 acres, priced from \$1.75 to \$4.25 million.

TEHAMA

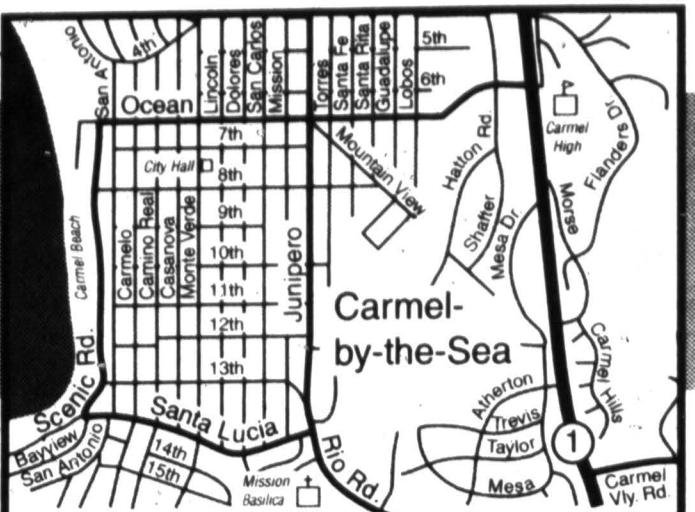
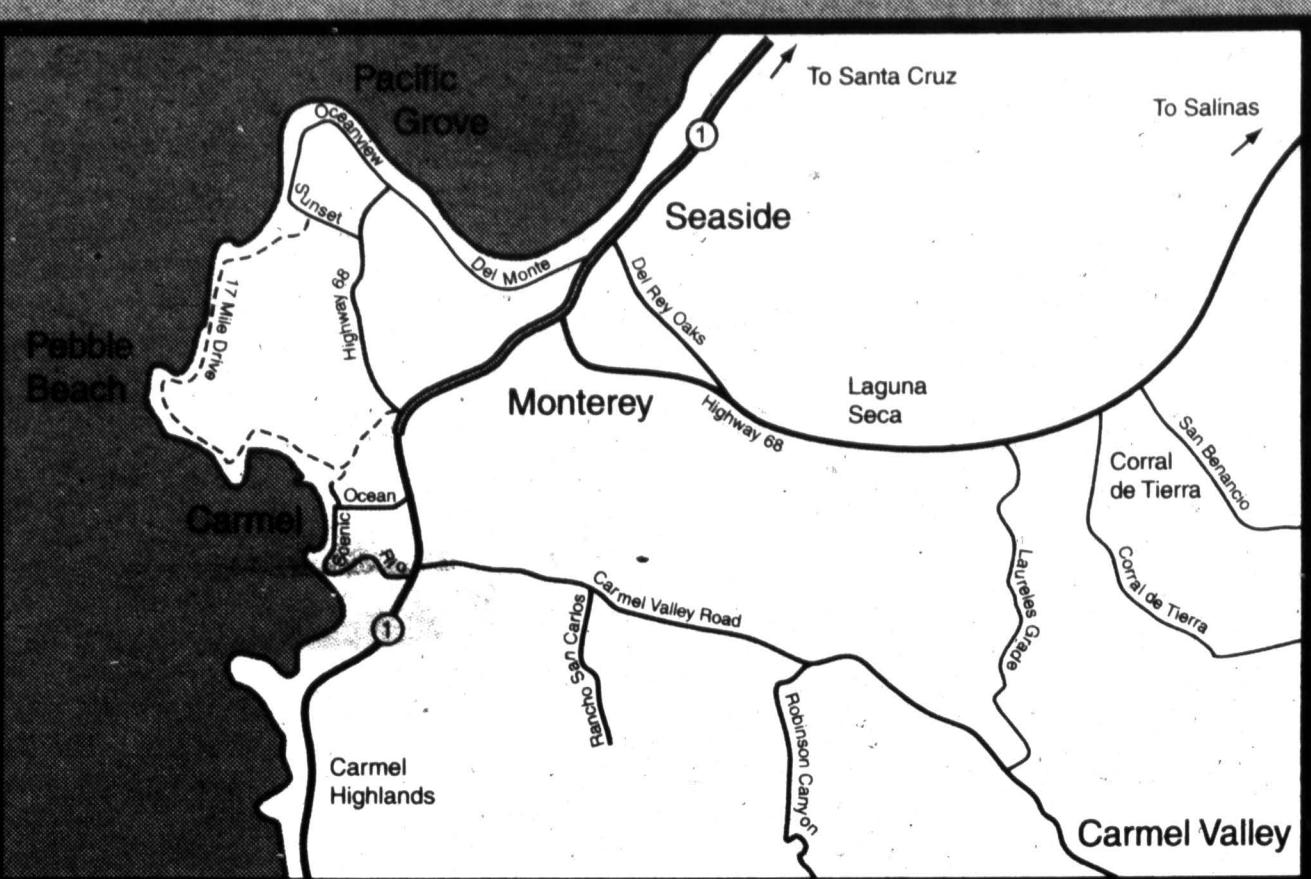
*Abse Carmel Bay*

FOR YOUR PERSONAL INTRODUCTION TO TEHAMA OR A DISCOVERY PORTFOLIO, CALL 866-625-2075 OR VISIT WWW.TEHAMA-CARMEL.COM

Obtain the property report or its equivalent, required by Federal and State law, and read it before signing anything. This shall not constitute an offer to sell in any state where prior registration is required. All plans, intentions and materials relating to the proposed Tehama community are subject to addition, deletion, revision, change or modification at the discretion of the developer and approval of the California Department of Real Estate, without notice. Tehama Golf Club membership is by invitation only and not included in the purchase of a homesite. The estimated completion date of the Tehama Fitness Center is March 2006. The Tehama Golf Course Clubhouse and Fitness Center are privately owned facilities and their use by lot owners is at the pleasure of the owner of the facilities. Purchasers will not acquire a proprietary interest in the Clubhouse or Fitness Center facilities, which facilities are subject to use by others who are not lot owners. ©2004

**CARMEL**

\$849,000 3bd 2ba	Sa 2-4
24520 Outlook Dr #21 The Mitchell Group	Carmel 624-6482
\$925,000 2bd 2ba	Sa Su 1-4
SE Cor Dolores/2nd Ave Alain Pinel Realtors	Carmel 622-1040
\$1,007,000 2bd 2ba	Sa11-1 Su1-3
2 SW Guadalupe & Ocean John Saar Properties	Carmel 625-0500
\$1,095,000 1bd 1ba+gst hs	Sa 11-1 Su 1-3
Junipero 3 NE of 2nd Burchell House Properties	Carmel 624-6461
\$1,195,000 3bd 2ba	Su 1-3
Guadalupe 3 NE of First Coldwell Banker Del Monte	Carmel 626-2222
\$1,295,000 3bd 2ba	Sa 2-4
24824 Carpenter Rd Burchell House Properties	Carmel 624-6461
\$1,375,000 3+bd 2ba	Sa Su 1-30
24652 Pescadero Rd. The Mitchell Group	Carmel 624-0136
\$1,395,000 3bd 3ba	Su 1-3
25073 Hatton Rd Coldwell Banker Del Monte	Carmel 626-2223
\$1,395,000 2bd 2ba	Su 2-4
SW Cor Guadalupe & Ocean The Mitchell Group	Carmel 624-6482
\$1,450,000 2bd 2ba	Sa Su 2-4
2831 14th St Coldwell Banker Del Monte	Carmel 626-2221
\$1,495,000 3bd 2ba	Su 12-3
2NE San Carlos/1 blk N of 4th Alain Pinel Realtors	Carmel 622-1040
\$1,590,000 4bd 2.5ba	Sa 2-4
24660 Lower Trail The Mitchell Group	Carmel 624-6482
\$1,595,000 3bd 2.5ba	Sa 2-4
Camino Real 3 SE of 8th Ave Burchell House Properties	Carmel 626-2222
\$1,599,000 3bd 2ba	Sa 2-4
Guadalupe 2 NW of 2nd Coldwell Banker Del Monte	Carmel 626-2221
\$1,649,000 2bd 2.5ba	Sa 1-3
Torres 2 SE of 8th Coldwell Banker Del Monte	Carmel 626-2221
\$1,695,000 3bd 3.5ba	Sa 1-30 Su 1-3
Crespi 6 SE Mt. View The Mitchell Group	Carmel 624-0136
\$1,695,000 3bd 2.5ba	Sa1-4 Su10-1
25275 Arriba Del Mundo Alain Pinel Realtors	Carmel 622-1040
\$1,695,000 2bd 2ba+2 lots	Sa 2-4 Su 2-5
24973 Santa Rita John Saar Properties	Carmel 625-0500
\$1,795,000 3bd 2ba	Sa 2-4
San Carlos 2 NW 9th The Mitchell Group	Carmel 624-6482
\$1,795,000 2bd 2ba	Sa Su 1-3
Dolores 4 SW 8th The Mitchell Group	Carmel 659-2267
\$1,795,000 3bd 2ba	Sa 2-4
Torres 5 SW of 2nd/3rd Alain Pinel Realtors	Carmel 622-1040
\$1,799,000 3bd 2.5ba	Sa Su 2-4
Lincoln 2 SW 12th The Mitchell Group	Carmel 624-6482
\$1,849,000 2bd 2.5ba	Sa 1-3 Su 1-4
Torres 2 SE of 5th Coldwell Banker Del Monte	Carmel 626-2222
\$1,875,000 3bd 2.5ba	Su 1-3
Torres 9 NW of 8th Coldwell Banker Del Monte	Carmel 626-2222
\$1,895,000 3bd 2.5ba	Sa Su 11-1
Santa Rita 3 SE of 2nd St Burchell House Properties	Carmel 624-6461
\$1,995,000 2bd 2ba	Sa 2:30-4:30
SE Cor Lopez & Third The Mitchell Group	Carmel 624-6482
\$1,995,000 2bd 2ba	Su 1:30-3:30
SE Cor Lopez & Third The Mitchell Group	Carmel 624-6482

**THIS WEEKEND'S  
OPEN HOUSES  
October 2-3**

\$699,000 3bd 2ba	Su 12-2
363 Ramona Coldwell Banker Del Monte	Monterey 626-2222
\$699,000 3bd 2ba	Sa 2:30-4:30
363 Ramona Ave Coldwell Banker Del Monte	Monterey 626-2222
\$729,000 3bd 2ba	Sa 1-3
21 Skyline Crest Dr Coldwell Banker Del Monte	Monterey 626-2222
\$775,000 3bd 2ba	Su 2-4
2050 Via Taormina Coldwell Banker Del Monte	Monterey 626-2221
\$1,170,000 3bd 2ba	Su 1-3
1430 Manor Place Coldwell Banker Del Monte	Monterey 626-2226
\$2,869,000 3bd 3ba	Su 1-3
801 Mesa Rd Coldwell Banker Del Monte	Monterey 626-2222

**MTRY./SALINAS HWY.**

\$499,000 Lot	Sa Su 12:30-1
11521 Spur Road The Mitchell Group	Mtry/Slns Hwy 659-2267
\$619,000 3bd 2ba	Su 2-4
25527 Sunflower Ct The Mitchell Group	Mtry/Slns Hwy 659-2267
\$899,000 4bd 3ba	Su 2-4
25205 Baronet Rd Coldwell Banker Del Monte	Mtry/Slns Hwy 626-2222
\$979,000 3bd 2.5ba	Su 12-2
25401 Markham Lane Coldwell Banker Del Monte	Mtry/Slns Hwy 626-2222
\$1,049,000 3bd 2.5ba	Su 2-4
25523 Meadowview Cir. The Mitchell Group	Mtry/Slns Hwy 659-2267
\$1,098,000 3bd 2ba	Sa 1-4
18301 Corral Del Cielo Rd Coldwell Banker Del Monte	Mtry/Slns Hwy 626-2226
\$1,595,000 3bd 3ba	Su 2-4
414 Las Laderas The Mitchell Group	Mtry/Slns Hwy 659-2267
\$1,655,000 4bd 4ba+	Su 1-3
11142 Saddle Rd Coldwell Banker Del Monte	Mtry/Slns Hwy 626-2222
\$1,699,000 4bd 4ba	Sa 1-4
26460 Tierra Vista The Mitchell Group	Mtry/Slns Hwy 659-2267
\$2,675,000 3bd 2.5ba	Sa 1-4
529 Corral De Tierra Alain Pinel Realtors	Mtry/Slns Hwy 622-1040
\$3,600,000 5bd 5ba	Su 1-4
107 El Torneo Ct Alain Pinel Realtors	Mtry/Slns Hwy 622-1040

**PACIFIC GROVE**

\$599,000 2bd 1ba	Sa Su 1:30-3:30
244 Grove Acre Coldwell Banker Del Monte	Pacific Grove 626-2222
\$709,500 2bd 1ba	Sa 1:30-4 Su 2-4
218 Chestnut St The Mitchell Group	Pacific Grove 646-2120
\$795,000 2bd 1ba	Sa 2-4
769 Spruce Coldwell Banker Del Monte	Pacific Grove 626-2222
\$829,000 3bd 2.5ba	Sa Su 2-4
255 Forest Park Court The Mitchell Group	Pacific Grove 646-2120
\$834,000 3bd 2ba+den	Su 2-4
1121 David Ave Alain Pinel Realtors	Pacific Grove 622-1040
\$879,000 3bd 2ba	Sa 2-4 Su 1-4
515 Melrose St The Mitchell Group	Pacific Grove 646-2120
\$1,175,000 3bd 2ba	Su 3-5
138 16th St x Central Ave Thorsen Realty	Pacific Grove 372-9061
\$1,450,000 4bd 2.5ba	Su 1-3
940 14th St Coldwell Banker Del Monte	Pacific Grove 626-2226
\$1,675,000 4bd 3ba	Su 2-4
605 Pine Ave The Mitchell Group	Pacific Grove 646-2120
\$1,699,000 4bd 3ba	Su 1-3
928 Fountain Avenue The Mitchell Group	Pacific Grove 646-2120
\$1,995,500 3bd 3ba	Sa 1-3 Su 2-4
1365 Pico Ave Alain Pinel Realtors	Pacific Grove 622-1040

**CARMEL VALLEYS**

\$599,000 Lot	Sa Su 12-12:30
0 El Caminito The Mitchell Group	Carmel Valley 659-2267
\$695,000 2bd 2ba	Su 12-2
148 Del Mesa Alain Pinel Realtors	Carmel Valley 622-1040
\$749,000 2bd 2ba	Su 12-2
50 Del Mesa Alain Pinel Realtors	Carmel Valley 622-1040
\$865,000 3bd 3ba	Su 1-3
27 Paso Cresta The Mitchell Group	Carmel Valley 659-2267
\$965,000 3bd 3.5ba	Su 1-3
9601 Buckeye Court Coldwell Banker Del Monte	Carmel Valley 626-2222
\$970,000 3bd 3.5ba	Sa Su 1:30-3:30
9665 Willow Ct The Mitchell Group	Carmel Valley 659-2267
\$1,295,000 3bd 3ba	Sa 2-4
28005 Mercurio Rd The Mitchell Group	Carmel Valley 659-2267
\$1,489,000 3bd 3ba	Su 12-2
165 Via Los Tularas Alain Pinel Realtors	Carmel Valley 622-1040
\$1,495,000 4bd 3.5ba	Su 1-2
711 Country Club Dr The Mitchell Group	Carmel Valley 659-2267
\$1,625,000 2bd 2.5ba	Sa Su 1-3
7082 Valley Greens Cir The Mitchell Group	Carmel Valley 659-2267
\$1,650,000 4bd 4ba+	Sa 12-2
66 Boronda Rd Coldwell Banker Del Monte	Carmel Valley 626-2222
\$1,750,000 4bd 3.5ba	Su 1-4
7073 Valley Green Cir Alain Pinel Realtors	Carmel Valley 622-1040
\$1,790,000 2bd 3.5ba	Sa 1-3
7060 Fairway Place Coldwell Banker Del Monte	Carmel Valley 626-2222
\$1,995,000 4bd 4ba	Su 2-4
4 Marquard Coldwell Banker Del Monte	Carmel Valley 626-2221
\$2,499,000 3bd 4ba	Sa 1-4 Su 2-4
7027 Valley Knoll Road John Saar Properties	Carmel Valley 625-0500

**MONTEREY**

\$679,900 3bd 1ba	Sa 2-4
855 Parcel St The Mitchell Group	Monterey 646-2120

**PEBBLE BEACH**

\$950,000 3bd 2.5ba	Su 2-4





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**PEBBLE BEACH**

<b>\$1,795,000</b>	<b>3bd 2.5ba</b>	<b>Su 11-1</b>
3063 Forest Way		Pebble Beach
Alain Pinel Realtors		622-1040
<b>\$1,995,000</b>	<b>3bd 3.5ba</b>	<b>Sa 1-4</b>
2913 17-Mile Dr		Pebble Beach
Coldwell Banker Del Monte		626-2222
<b>\$1,995,000</b>	<b>3bd 2.5ba</b>	<b>Sa 1:30-3:30</b>
2952 Crescent		Pebble Beach
Coldwell Banker Del Monte		626-2222
<b>\$2,795,000</b>	<b>3bd 3.5ba</b>	<b>Sa 1-3 Su 1-4</b>
60 Spanish Bay Cir		Pebble Beach
Coldwell Banker Del Monte		626-2222
<b>\$3,175,000</b>	<b>3bd 3.5ba</b>	<b>Sa 1-4</b>
79 Spanish Bay Cir		Pebble Beach
Coldwell Banker Del Monte		626-2222
<b>\$5,950,000</b>	<b>5bd 5.5ba+gst hs</b>	<b>Sa Su 1-4</b>
3930 Ronda Rd		Pebble Beach
Coldwell Banker Del Monte		626-2223

**SALINAS**

<b>\$825,000</b>	<b>4bd 2.5ba</b>	<b>Su 2-4</b>
394 Mesa Rd		Salinas
Burchell House Properties		624-6461

**SEASIDE**

<b>\$504,000</b>	<b>2bd 1ba</b>	<b>Sa 12-1:30</b>
1380 Canyon Del Rey		Seaside
The Mitchell Group		646-2120
<b>\$535,000</b>	<b>2bd 1ba</b>	<b>Sa Su 1-3</b>
1812 Mendocino Street		Seaside
The Mitchell Group		646-2120
<b>\$649,000</b>	<b>2bd 2ba</b>	<b>Su 11-1</b>
1323 Elm Ave		Seaside
Burchell House Properties		624-6461

**SOUTH COAST**

<b>\$2,950,000</b>	<b>3bd 3.5ba</b>	<b>Sa 2-5 Su 1-4</b>
31525 Highway 1		South Coast
John Saar Properties		625-0500
<b>\$4,990,000</b>	<b>5bd 4+ba</b>	<b>Sa 2-4 Su 2-4</b>
36296 Garrapata Ridge		South Coast
John Saar Properties		622-7227

**carmel spotlight**

Publishers of expert real estate advice and statistics since 1989. Get information and charts on the local market place at [carmelabodes.com](http://carmelabodes.com). Know the market, get the facts.

Steps to the beach on nearly two lots, this perfectly appointed Carmel house has published gardens, ocean views, separate guest quarters and exceptional privacy.

**\$3,950,000**



**PAUL AND NELLIE BROCCHINI**  
Knowledge is Power

PO Box 350, Carmel, CA 93921  
TEL 831/624-1414  
E-MAIL [paulnel@carmelabodes.com](mailto:paulnel@carmelabodes.com)  
WEB [www.carmelabodes.com](http://www.carmelabodes.com)

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Private Client Group

**831.624.6201**

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**ALAIN PINEL Realtors****PEBBLE BEACH**

Majestically situated along the world renowned 17 Mile Drive in Pebble Beach, this stately mansion commands your attention. Masterfully sited to maximize both views and privacy, this 8 year old, 4 bedroom, 4 full baths plus 2 half bath residence has a well-designed floor plan that offers ocean views from all rooms.

Offered at **\$8,989,000**

**CARMEL VALLEY**

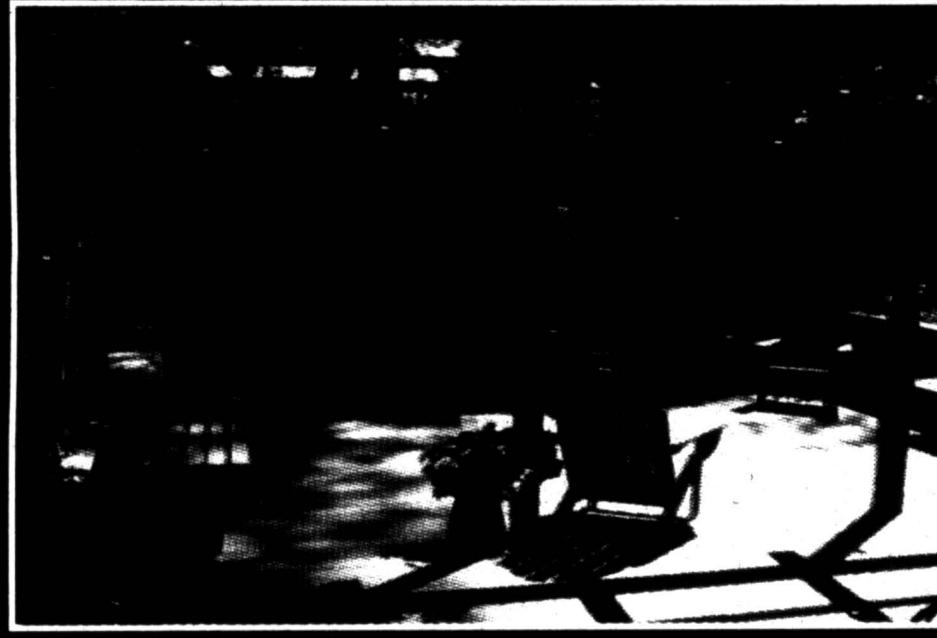
The wonderful gardens that surround the home and pool create a private resort feeling. The many extras include the custom lighting, Jerusalem stone floors and counters, 11 skylights, dual heating system, newer roof, water softener, alarm systems, automatic irrigation and radiant heat in the kitchen, family room & master bath.

Offered at **\$1,750,000**

**PEBBLE BEACH**

Serenity surrounds you on this picturesque lot and convenient Pebble Beach location which includes a 2 bedroom, 1 bath main house plus a 1 bedroom, 1 bath guest house. Enjoy wonderful vistas from the cozy interiors as well as from the gardens or decks.

Offered at **\$969,000**

**CARMEL-BY-THE-SEA**

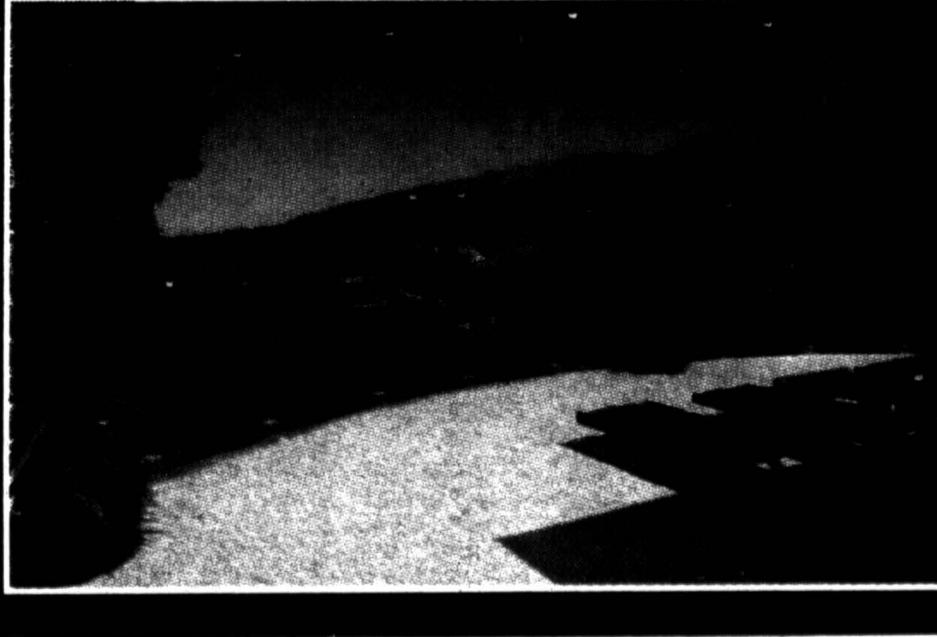
This 2,063 sq. ft. home set on an oversized Carmel lot has a very functional floor plan and has been beautifully remodeled. This property features hardwood and slate floors, lots of windows, skylights, high ceilings, designer lighting, and a gourmet kitchen with riverstone granite counter tops, 6 burner Viking cook top and double Thermador ovens.

Offered at **\$2,195,000**

**CARMEL VALLEY**

Carmel Valley living at its best. This meticulously remodeled single level home is incredibly private and serene with walls of glass looking out over valley views. Slate floors, glass solarium, 3 separate suites and 2 living areas make this a wonderful home with a great floor plan.

Offered at **\$1,489,000**



**ALAIN PINEL**  
REALTORS

*Junipero b/w 5th & 6th*

**831.622.1040**

[www.apr-carmel.com](http://www.apr-carmel.com)

# PUBLIC NOTICES • PUBLIC NOTICES • PUBLIC NOTICES

## FICTITIOUS BUSINESS NAME STATEMENT

File No. 20042069. The following person(s) is/are doing business as: **SUBURBAN ENERGY SERVICES**, 2874 South Cherry, Fresno, CA 93706; **SUBURBAN PROPANE**, L.P., 240 Route 10 West, Whippoor, NJ 07981; **SUBURBAN ENERGY SERVICES GROUP LLC**, 240 Route 10 West, Whippoor, NJ 07981. This business is conducted by a limited partnership. Registrant commenced to transact business under the fictitious name listed above upon filing. (s) Janice Meola Sokol, VP & Secretary of Suburban Energy Services Group LLC, the general partner of Suburban Propane, L.P. This statement was filed with the County Clerk of Monterey County on August 25, 2004. Publication dates: Sept. 10, 17, 24, Oct. 1, 2004. (PC 907)

## FICTITIOUS BUSINESS NAME STATEMENT

File No. 20042129. The following person(s) is/are doing business as: **MARSH RISK & INSURANCE SERVICES**, 777 So. Figueroa Street, Los Angeles, CA 90017; **MARSH USA INC.**, 777 So. Figueroa Street, Los Angeles, CA 90017. This business is conducted by a corporation. Registrant commenced to transact business under the fictitious name listed above on October 1, 1999. (s) Mark J. Dallara, Assistant Secretary. This statement was filed with the County Clerk of Monterey County on September 2, 2004. Publication dates: Sept. 17, 24, Oct. 1, 2004. (PC 910)

Jo Marie Ometter (State Bar No. 54251) **NOLAND, HAMERY, ETIENNE & HOSS** A Professional Corporation 470 Camino El Estero Monterey, California 93940 Telephone: (831) 373-3622 Facsimile: (831) 649-3043

Attorneys for Jo Marie Ometter, Conservator of the Person and Estate of Joseph W. Coppin, Conservator, and Successor Trustee of The Coppin Family Trust dated 11/17/1993.

**SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY**  
Conservatorship of the Person and Estate of **JOSEPH W. COPPIN**, Conservator.

Case No. MP 16792

## NOTICE OF INTENTION TO SELL REAL PROPERTY AT PRIVATE SALE

NOTICE IS HEREBY GIVEN that, subject to confirmation by this Court at a later date, on October 5, 2004 at 10:00 a.m., or thereafter within the time allowed by law, the undersigned as Conservator of the Person and Estate of the above-named Conservator, and Successor Trustee of The Coppin Family Trust dated 11/17/1993, will sell at private sale to the highest and best net bidder on the terms and conditions hereinafter mentioned all right, title, and interest of the Conservator, in the real property located in Monterey County, California, described below.

Please note that the above date is not a Court hearing.

The property is described as follows:

LOT NUMBERED 2, AS SAID LOT IS SHOWN ON THAT CERTAIN MAP ENTITLED, "TRACT NO. 460, MAP OF MARINA MANOR," FILED FOR RECORD MAY 11, 1964, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY STATE OF CALIFORNIA, IN VOLUME 8 OF MAPS, "CITIES AND TOWNS", AT PAGE 17.

(APN: #032-242-047)

Commonly Known as 3114 Bayer Street, Marina, CA 93933.

All right, title and interest of Magdalena A. Coppin, Conservator (Monterey County Superior Court Case No. MP 16478), in the described property will also be sold at the same time as the interest of Joseph W. Coppin, Conservator, and such sale will be in accordance with the terms and conditions set forth in this Notice. Legal title is held in the name of Jacqueline DePetris as Successor Trustee of The Coppin Family Trust dated 11/17/1993; however, confirmation of the sale will be made in the conservatorship proceedings pursuant to court order.

The sale is subject to current taxes, covenants, conditions, restrictions, reservations, rights-of-way, and easements of record, with any encumbrances of record to be satisfied from the purchase price.

The property is to be sold on an "as is" basis, except for title. The sale of property "as is" means that the purchaser will take title to the property, subject but not limited to, the following conditions in regard to the property: All Federal, State, and local regulations applicable to the property, and the improvements, the status of compliance with any governmental permits applicable to the property, and the improvements thereon; the impact of any covenants, conditions, and restrictions, and easements which affect the property; the status of legal and physical access to the property; the presence of any environmental contaminant, pollutant, toxic or hazardous substance (including, but not limited to, asbestos-containing material) in, under, or upon any portion of the land or the improvements thereon which comprise the property; the physical condition of the land and any part of the improvements and each of their components; the availability and the status of any contracts or agreements for the provision of utilities to the property, and any other physical fact, legal issue, and existing or potential governmental regulations or actions which materially affect the property.

Offers are invited for this property and must be in writing and will be received at the office of The Mitchell Group, 200 Clocktower Place, Suite 100D, Carmel CA 93923 at any time after first publication of this notice and before any sale is made.

The interests of both Conservators in this property will be sold on the following terms: Cash, or part cash and part credit, the terms of such credit to be acceptable to the undersigned and to the Court ten thousand dollars (\$10,000) of the

amount offered to accompany the offer by certified or cashier's check, and the balance of the purchase price to be paid on close of escrow. Other terms of sale shall be as the undersigned and the purchaser shall agree. The sale is subject to confirmation by the Superior Court of the County of Monterey, State of California, and to overbids. Commission of real estate agents to be six percent (6%) or as allowed by the Court.

Other terms of sale shall be as the undersigned and the purchaser shall agree. The sale is subject to confirmation by the Superior Court of the County of Monterey, State of California, and to overbids. Commission of real estate agents to be six percent (6%) or as allowed by the Court.

The undersigned reserves the right to reject any and all offers prior to the entry of an Order Confirming Sale.

This notice is not an offer but an invitation for offers to be submitted to the undersigned.

The property is available for inspection by appointment. Please contact Larry Scholten, The Mitchell Group, 200 Clocktower Place, Suite 100-D, Carmel, CA 93923 (tel: 831-622-4836) for further information.

Dated: September 8, 2004

(s) Jacqueline DePetris, Conservator of the Person and Estate of Magdalena A. Coppin and Successor Trustee of The Coppin Family Trust dated 11/17/1993

Publication dates: Sept. 17, 24, Oct. 1, 2004. (PC 911)

Jo Marie Ometter (State Bar No. 54251) **NOLAND, HAMERY, ETIENNE & HOSS** A Professional Corporation 470 Camino El Estero Monterey, California 93940 Telephone: (831) 373-3622 Facsimile: (831) 649-3043

Attorneys for Jo Marie Ometter, Conservator of the Person and Estate of Magdalena A. Coppin, Conservator, and Successor Trustee of The Coppin Family Trust dated 11/17/1993.

**SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY**

Conservatorship of the Person and Estate of **JOSEPH W. COPPIN**, Conservator.

Case No. MP 16478

## NOTICE OF INTENTION TO SELL REAL PROPERTY AT PRIVATE SALE

NOTICE IS HEREBY GIVEN that, subject to confirmation by this Court at a later date, on October 5, 2004 at 10:00 a.m., or thereafter within the time allowed by law, the undersigned as Conservator of the Person and Estate of the above-named Conservator, and Successor Trustee of The Coppin Family Trust dated 11/17/1993, will sell at private sale to the highest and best net bidder on the terms and conditions hereinafter mentioned all right, title, and interest of the Conservator, in the real property located in Monterey County, California, described below.

Please note that the above date is not a Court hearing.

The property is described as follows:

LOT NUMBERED 2, AS SAID LOT IS SHOWN ON THAT CERTAIN MAP ENTITLED, "TRACT NO. 460, MAP OF MARINA MANOR," FILED FOR RECORD MAY 11, 1964, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY STATE OF CALIFORNIA, IN VOLUME 8 OF MAPS, "CITIES AND TOWNS", AT PAGE 17.

(APN: #032-242-047)

Commonly Known as 3114 Bayer Street, Marina, CA 93933.

All right, title and interest of Joseph W. Coppin, Conservator (Monterey County Superior Court Case No. MP 16478), in the described property will also be sold at the same time as the interest of Joseph W. Coppin, Conservator, and such sale will be in accordance with the terms and conditions set forth in this Notice. Legal title is held in the name of Jacqueline DePetris as Successor Trustee of The Coppin Family Trust dated 11/17/1993; however, confirmation of the sale will be in the conservatorship proceedings pursuant to court order.

The sale is subject to current taxes, covenants, conditions, restrictions, reservations, rights-of-way, and easements of record, with any encumbrances of record to be satisfied from the purchase price.

The property is to be sold on an "as is" basis, except for title. The sale of property "as is" means that the purchaser will take title to the property, subject but not limited to, the following conditions in regard to the property: All Federal, State, and local regulations applicable to the property, and the improvements, the status of compliance with any governmental permits applicable to the property, and the improvements thereon; the impact of any covenants, conditions, and restrictions, and easements which affect the property; the status of legal and physical access to the property, the presence of any environmental contaminant, pollutant, toxic or hazardous substance (including, but not limited to, asbestos-containing material) in, under, or upon any portion of the land or the improvements thereon which comprise the property; the physical condition of the land and any part of the improvements and each of their components; the availability and the status of any contracts or agreements for the provision of utilities to the property, and any other physical fact, legal issue, and existing or potential governmental regulations or actions which materially affect the property.

Offers are invited for this property and must be in writing and will be received at the office of The Mitchell Group, 200 Clocktower Place, Suite 100D, Carmel CA 93923 at any time after first publication of this notice and before any sale is made.

The interests of both Conservators in this property will be sold on the following terms: Cash, or part cash and part credit, the terms of such credit to be acceptable to the undersigned and to the Court ten thousand dollars (\$10,000) of the

amount offered to accompany the offer by certified or cashier's check, and the balance of the purchase price to be paid on close of escrow. Other terms of sale shall be as the undersigned and the purchaser shall agree. The sale is subject to confirmation by the Superior Court of the County of Monterey, State of California, and to overbids. Commission of real estate agents to be six percent (6%) or as allowed by the Court.

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The undersigned reserves the right to reject any and all offers prior to the entry of an Order Confirming Sale.

This notice is not an offer but an invitation for offers to be submitted to the undersigned.

The property is available for inspection by appointment. Please contact Larry Scholten, The Mitchell Group, 200 Clocktower Place, Suite 100-D, Carmel, CA 93923 (tel: 831-622-4836) for further information.

Dated: September 8, 2004

(s) Jacqueline DePetris, Conservator of the Person and Estate of Magdalena A. Coppin and Successor Trustee of The Coppin Family Trust dated 11/17/1993

Publication dates: Sept. 17, 24, Oct. 1, 2004. (PC 912)

## FICTITIOUS BUSINESS NAME STATEMENT

File No. 20042070. The following person(s) is/are doing business as: **BIG SUR PROPERTY MANAGEMENT SERVICES**, 46402 Pear Valley Rd., Big Sur, CA 93920; **MONIQUE J. BOURIN**, 46402 Pear Valley Rd., Big Sur, CA 93920. JOHN SCOTT WEST, 46402 Pear Valley Rd., Big Sur, CA 93920. This business is conducted by a husband and wife. Registrant commenced to transact business under the fictitious name listed above on August 25, 2004. (s) Monique S. Bourin. This statement was filed with the County Clerk of Monterey County on August 25, 2004. Publication dates: Sept. 17, 24, Oct. 1, 2004. (PC 914)

**SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY**

Conservatorship of the Person and Estate of **JOSEPH W. COPPIN**, Conservator.

Case No. MP 16478

## NOTICE OF INTENTION TO SELL REAL PROPERTY AT PRIVATE SALE

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The interests of both Conservators in this property will be sold on the following terms: Cash, or part cash and part credit, the terms of such credit to be acceptable to the undersigned and to the Court ten thousand dollars (\$10,000) of the

## SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY

Monterey, CA 93940

Attorney for Petitioner, John H. Waner: Mark H. Johnson - State Bar No. 101778

JOHNSON, GAVER & LEACH, LLP

2801 Monterey-Salinas Hwy., Suite B

Monterey, CA 93940

Telephone 831-373-2400

Fax 831-373-2410

This statement was filed with the Clerk of the Superior Court of Monterey County on Sept. 17, 2004.

Publication dates: Sept. 24, Oct. 1, 2004. (PC 923)

• MID VALLEY ASSOCIATES, a California general partnership, 100 West Carmel Valley Road, Carmel Valley, CA 93924;

• PORTER FAMILY PARTNERSHIP, a California limited partnership, 312 West Carmel Valley Road, Carmel Valley, CA 93924;

• CRAFT FAMILY TRUST dated 1/12/95, c/o CHARLES NICHOLAS CRAFT, Trustee, 6 Paso Del Rio,

Carmel Valley, CA 93924;

• LIEURANCE V. CLEMENS, 562 Palm Avenue,

South San Francisco, CA 94080

• DAVID G. CLEMENS

699 Grove Street,

Monterey,

## POLICE LOG

From page 9B

was notified and picked her up at the station.

**Carmel-by-the-Sea:** Officers called to a verbal peace disturbance involving loud music on Fifth Avenue.

**Carmel-by-the-Sea:** Unknown subject(s) keyed the right side of the victim's vehicle while it was parked on Dolores near Ninth. This occurred sometime between 1540 hours and 1940 hours. Victim noticed the damage when she stopped at a gas station to get gas.

**Carmel-by-the-Sea:**

Units responded to a possible battery in the area of Ocean and Lincoln. The victim stated he was in a verbal argument with his coworker. The coworker became very angry and tried to hit him. The victim related that his coworker then picked up a butter knife and pointed it at him. Other workers then held back the man with the knife who then ran away. Victim stated he did not want to press charges and that he would let management take care of it. He did not want the other involved party contacted.

**Carmel-by-the-Sea:**

Engine 7111 responded to a report of a power transformer leaking fluid on the northeast corner of Dolores and Fourth. On scene, fluid was found coming out of the top of a power transformer. Isolated the area and contacted PG&E, which arrived and shut off the power, cleaned up and conducted repairs.

**Carmel-by-the-Sea:**

Engine 7111 and Ambulance

7166 responded to a medical emergency at San Carlos and Ocean. Contacted a female who felt weak. She was examined by a paramedic and signed a medical release.

**Carmel-by-the-Sea:** Engine 7111 and Ambulance 7166 responded to a medical emergency at Monte Verde and Ocean. Found a female who had fallen and was complaining of a cut finger and pain to her shoulder. The patient was transported to CHOMP by ambulance.

See POLICE LOG page 15B

### Carmel-by-the-Sea



A 2 year young Carmel cottage charmer with a spacious yet excellent plan all on one level. A sumptuous master retreat with its own fireplace and carrera marble shower. Two additional bedrooms and another bathroom. A total of 3 fireplaces add to the warmth of this exceptional home. A family room and kitchen combination with top of the line appliances and pantry. Hardwood floors, skylights, dormer windows, clerestory windows and numerous French doors that open out to the deck or garden. \$1,990,000

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### La Villa Dulce



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Village Realty • 626-0132

## PUBLIC NOTICES

**FICTITIOUS BUSINESS NAME STATEMENT** File No. 20042288. The following person(s) is/are doing business as: **LUCIA LODGE**, 62400 Highway One, Big Sur, CA 93920. WJH INVESTMENTS, Inc., a California Corporation, 16695 Condit Road, Morgan Hill, CA 95037. This business is conducted by a corporation. Registrant commenced to transact business under the fictitious name listed above on April 1, 2004. (s) Kenneth J. Harlan, President. This statement was filed with the County Clerk of Monterey County on Sept. 23, 2004. Publication dates: Oct. 1, 8, 15, 22, 2004. (PC 1002)

**CITY OF CARMEL-BY-THE-SEA  
CITY COUNCIL**

**URGENCY ORDINANCE NO. 2004-05**

**AN URGENCY ORDINANCE ESTABLISHING LIMITATIONS  
ON ART GALLERIES**

**WHEREAS**, Carmel-by-the-Sea has always had a rich tradition as a place of culture and the arts; and

**WHEREAS**, the City has a vital commercial area that supplies goods, services and recreation to residents, businesses and visitors

**WHEREAS**, it is important for the health and welfare of the community to maintain an appropriate balance of land uses within the commercial areas so that the needs of residents, businesses and visitors are met; and

**WHEREAS**, there are now over one-hundred art galleries in Carmel—they now make up a disproportionate number of the businesses within the community and are displacing other varieties of business to the detriment of the long-term health of the City; and

**WHEREAS**, with a resident population of just 4,025 it is clear that nearly all of the galleries in Carmel are supplying goods for visitors and this results in less space available for businesses that might supply goods and services to residents; and

**WHEREAS**, even visitors to Carmel want to see more than just art galleries—to the extent that galleries occupy available retail commercial space this reduces space that might be occupied by other, more diverse and interesting uses for the City's visitors; and

**WHEREAS**, this issue was addressed in the drafting of the City's General Plan/Local Coastal Land Use Plan through adoption of policies on maintaining a balanced mix of uses and policies specifically identifying Art Galleries as one of the uses that should be limited; and

**WHEREAS**, Objective O1-5 of the General Plan calls for the City to "Protect and enhance the balanced mix of uses in the central business area, particularly along Ocean Avenue to ensure a high quality, pedestrian oriented commercial environment providing a wide variety of goods and services to local residents"; and

**WHEREAS**, Policy P1-21 of the General Plan directs that the City "Control and reduce where possible the number of business uses that are found to be out of proportion with a balanced mix of uses necessary to protect the residential character and economic objectives of the community"; and

**WHEREAS**, Policy P1-22 requires the City to "establish methods that will result in limiting or reducing the number of certain uses including but not limited to drinking places, art galleries, gift shops, T-shirt shops, and jewelry stores in the Central Commercial Land use district"; and

**NOW, THEREFORE**, the City Council of the City of Carmel-by-the-Sea does hereby ordain as follows:

**Section One. Urgency Provision.** This ordinance is declared to be an urgency ordinance as authorized by Section 65858 of the California Government Code. The basis of the urgency is as set forth in the statements above. There is a real and impending threat of new art galleries being opened during the interval between first reading of the long-term Ordinance and that Ordinance's effective date. Each new gallery that is opened during this period will displace a business that might otherwise supply different goods and services to the community at large. The cumulative effect of such displacements would be to further imbalance the economic health of the City and reduce the diversity and variety of commercial businesses that are so valued by both residents and visitors. When such a vast number of retail businesses in the community are of just a single land use type, this creates monotony and robs the community of its diversity and vitality. This would undermine the intent of the General Plan/Coastal Land Use Plan and decrease the value of Carmel's commercial area.

This is clearly within the scope of the public welfare. As stated by the U.S. Supreme Court in *Berman v. Parker*, 348 U.S. 26 (1954):

"The concept of the public welfare is broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled."

#### Section Two. Art Gallery Standards Adopted.

The following standards are hereby adopted. No business license or use permit shall be issued for an art gallery unless it complies with the following standards:

1. Art galleries shall be allowed in the Central Commercial District only.
2. Art galleries shall comply with one of the following two standards:
  - A. Single-Artist Gallery: The use features a single artist representing at least 80% of the art for sale within the use; or
  - B. The use includes a working studio that is utilized for art production by artists represented in the gallery for over half (50%) of the hours the use is open for business.

#### Section Three. Nonconformity Provisions.

Any existing art gallery that does not comply with the provisions of this ordinance shall be considered nonconforming. Any nonconforming art gallery that goes out of business or changes ownership shall be replaced only by uses conforming to the zoning district standards applicable to the location of the use, including the standards of this ordinance.

#### Section Four. Severability.

If any part of this ordinance, even as small as a word or phrase, is found to be unenforceable such finding shall not affect the enforceability of any other part.

#### Section Five. Effective Date.

This Ordinance shall become effective immediately upon adoption by a four-fifths vote of the City Council. This Ordinance shall expire after 45 days, by operation of law, unless readopted following a public hearing prior to its expiration.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 23rd day of September by the following roll call vote:**

**AYES: COUNCIL MEMBERS:**

Bethel, Cunningham, Hazdovac, McCloud

**NOES: COUNCIL MEMBERS:** Rose

**ABSENT: COUNCIL MEMBERS:** None

**SIGNED: SUE MCLOUD, MAYOR**

**ATTEST: Karen Crouch, City Clerk**

**Publication dates: Oct. 1, 2004. (PC 1010)**

**LEGALS ADVERTISING DEADLINE:  
TUESDAY 4:30 PM**

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Obtain the property report or its equivalent, required by Federal and State law, and read it before signing anything. This shall not constitute an offer to sell in any state where prior registration is required. All plans, intentions and materials relating to the proposed [Monterra/Tehama] community are subject to addition, deletion, revision, change or modification at the discretion of the developer and approval of the California Department of Real Estate, without notice. Tehama Golf Club membership is by invitation only and not included in the purchase of a homesite. The estimated completion date of the Tehama Fitness Center is March 2006. The Tehama Golf Course Clubhouse and Fitness Center are privately owned facilities and their use by lot owners is at the pleasure of the owner of the facilities. Purchasers will not acquire a proprietary interest in the Clubhouse or Fitness Center facilities, which facilities are subject to use by others who are not lot owners. © 2004.

## THE NEW YORK TIMES MAGAZINE CROSSWORD PUZZLE

OVERHEARD IN UNDERGROUND NEW YORK BY KYLE MAHOWALD / EDITED BY WILL SHORTZ

### ACROSS

1 A bit cracked  
5 Rick's love in "Casablanca"  
9 Nest part  
13 Focus of Seward's Folly  
19 Account receivable?  
20 "Don't look at me"  
21 Perfect  
22 Some people are grabbed by them  
23 Certain horse race  
24 Skier Picabo finishing 11 places down from the bronze?  
27 See eye to eye about  
29 According to  
30 Courts  
31 Part of H.R.H.  
32 Travel ways  
33 Gets trounced  
36 Splitting point  
37 Order to nab a New York newspaper nerd now?  
42 Rebels  
43 "Why not?!"  
44 Wing  
45 "This isn't a joke"  
48 Memo heading  
49 Use needles

50 Critic's pan of a Jim Morrison rock concert?

55 Ones in need of a metamorphosis  
56 Wee wee?  
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107 Mendelssohn's Violin Concerto is in it  
108 Apple piece  
109 48-Down holder  
110 Pulse alternative  
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112 24-karat  
113 Annoyance  
114 R & B's Day & the Knights

72 Promise from a prolific wedding dress designer?  
78 Ring  
79 It details what's left  
80 Plants of the water lily family  
81 Strong and sharp  
83 Often-dried fruit  
84 Pinkerton, in "Madama Butterfly," e.g.  
85 Cry when an Oakland player's iron-on arrived?  
91 Evan of the Senate  
92 Put your purse away?  
93 Bath set?  
95 Skater Midori  
96 Saucy  
98 Energy

### DOWN

1 Constellation's brightest point  
2 Lingo  
3 Trading places  
4 Dirty  
5 Dope  
6 Crackpot  
7 Good name for a worrier?  
8 Prepares, as snack kernels  
9 Why some people travel far to attend church?  
10 Suffering  
11 Place to stay  
12 Smarten up  
13 Besides  
14 Weightlifters build them, for short

48 See 109-Across  
49 Sharp  
50 Thick piece  
51 Sierra Nevada, e.g.  
52 "It's not TV, it's"  
53 Dormmate  
54 Tempting ones  
55 Suit spec  
61 Iona College athlete

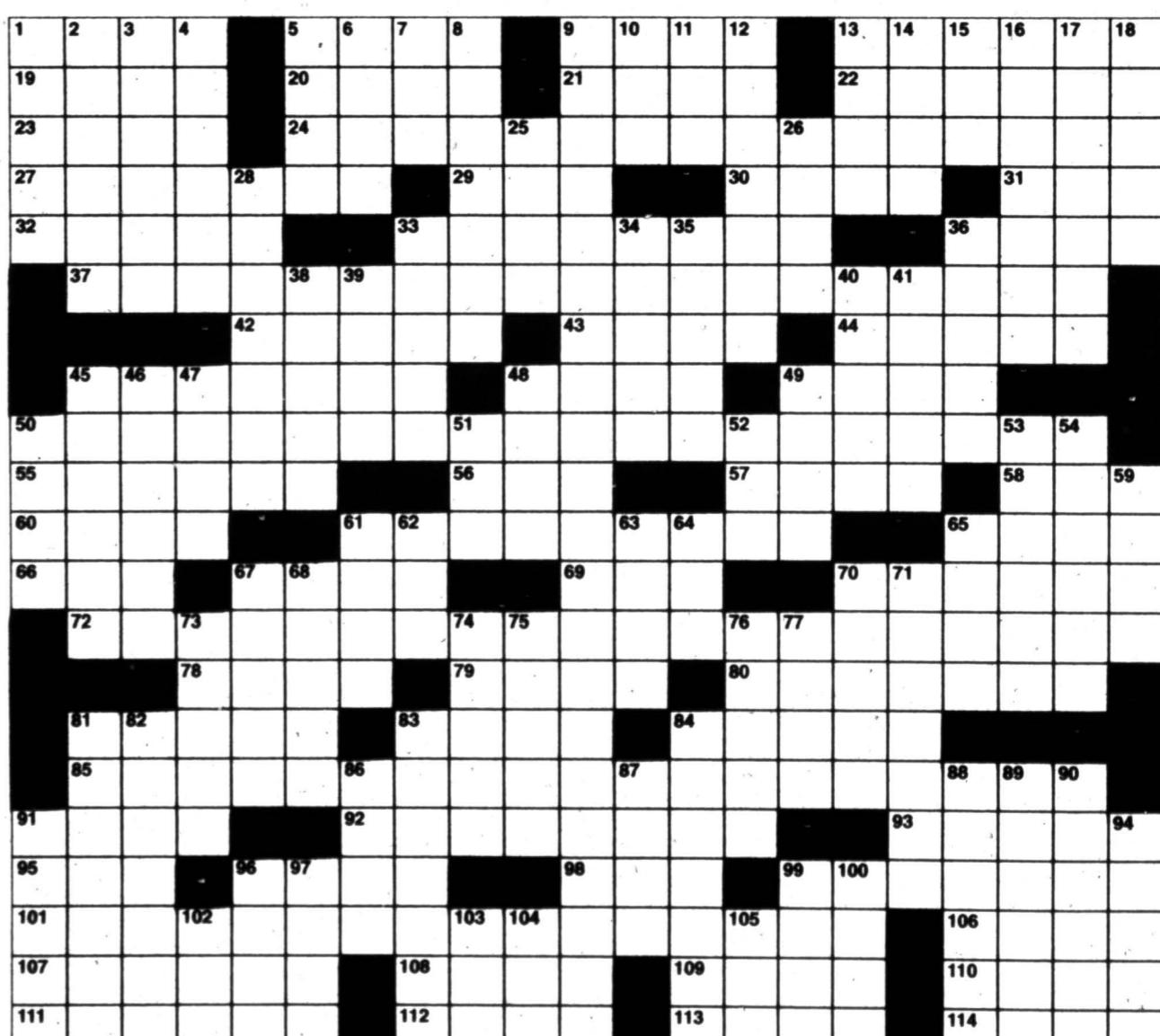
99 Worth something

101 Sign promoting a dance studio's nice moves?  
106 Darkens  
107 Mendelssohn's Violin Concerto is in it  
108 Apple piece  
109 48-Down holder  
110 Pulse alternative  
111 Two-and-a-half presidential terms  
112 24-karat  
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52 "It's not TV, it's"  
53 Dormmate  
54 Tempting ones  
55 Suit spec  
61 Iona College athlete

15 \_\_\_ financing

16 "You listen to me"  
17 Tissues  
18 N.L. Central player  
25 Feeler  
26 Greedy ones  
28 Philippine president deposed in 2001  
33 Lenya of song  
34 Foe of the evil Gargamel, in children's entertainment  
35 Top of the art world?  
36 Totalled  
38 Because  
39 Labor  
40 Audience participation bit  
41 Coupling  
45 Siena's home  
46 One of the Jackson 5  
47 "Men always hate most what they most": Mencken  
48 See 109-Across  
49 Sharp  
50 Thick piece  
51 Sierra Nevada, e.g.  
52 "It's not TV, it's"  
53 Dormmate  
54 Tempting ones  
55 Suit spec  
61 Iona College athlete



62 Boston retired his number 4

63 Stooge  
64 Place for reeds  
65 Bromo alternative  
67 Beck's holder  
68 Controversial danglers

73 What "O" stands for in publishing

74 Spin  
75 Correct  
76 "\_\_\_ My Hat in Haiti" (Fred Astaire song)  
77 Prefix with -gram  
81 Simultaneously  
82 About freezing  
83 Feature of a certain pen

84 Bands together

86 Some December deliveries  
87 Keep in check  
88 Move in the direction of  
89 Richardson of Nixon's cabinet  
90 College support group  
91 Went by Raleigh, say

94 Some R.S.V.P.'s

96 Trudge  
97 Orphan of literature  
99 Lyric poems  
100 Exploit  
102 \_\_\_ lab  
103 Lean meat source  
104 Certain swingers try to make it  
105 Suffix with excess

## POLICE LOG

From page 13B

**Carmel-by-the-Sea:** Engine 7111 and Ambulance 7166 responded to a medical emergency on Mission Street. Located a male whose medication pump had come out of his arm. Paramedic reattached it and the crew left. When the crew got to the engine, the patient called back and said it was not working again. He was told it could not be fixed and he needed to go to the hospital. He was told he could go by taxi or ambulance, and he chose the ambulance.

**Pebble Beach:** Dean of students at Robert Louis Stevenson School reported the boys' locker room was entered and wallets taken from the lockers of three students.

**Carmel Valley:** Deputies dispatched to a loud party complaint at a Schulte Road residence. Contacted numerous juveniles. Some of them had been drinking. Primary adult, an 18-year-old female, cited. Case continues.

## Chrissy Handel-Allen

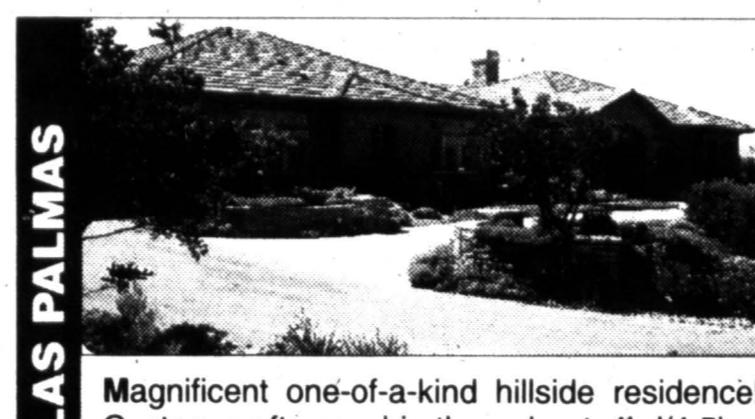
As a life long resident of the Peninsula I can fully appreciate the natural beauty and unparalleled standard of living the area has to offer. I understand the wants of my clients and I am dedicated to researching their needs and assisting them with my local knowledge and meticulous attention to detail when buying or selling a home.



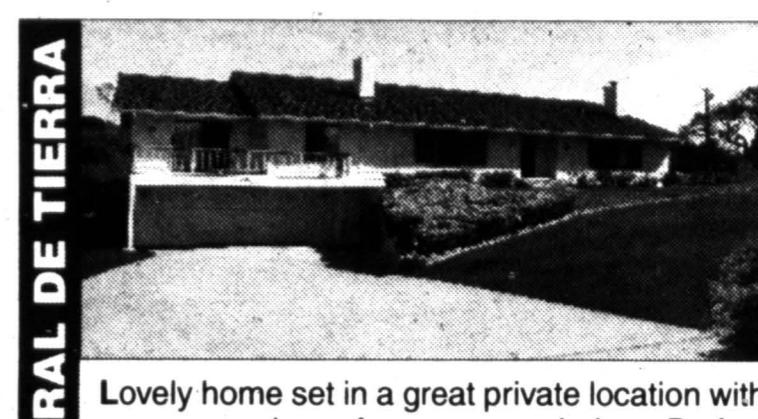
622-2511  
3775 Via Nona Marie  
Carmel, Ca 93923

## SHANKLE REAL ESTATE

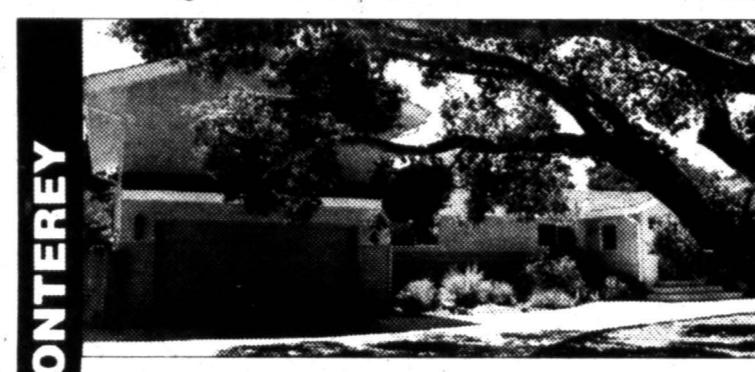
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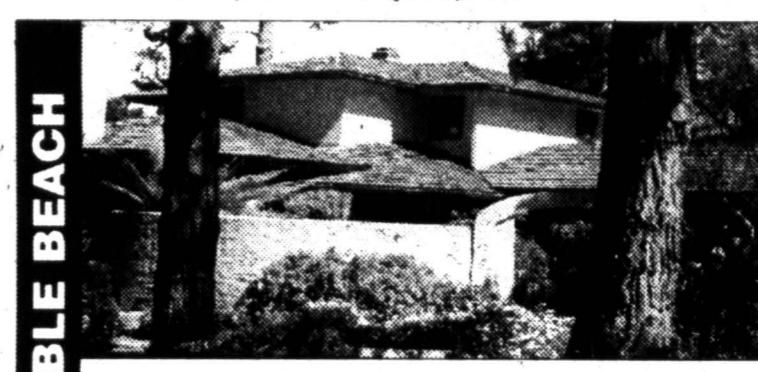
LAS PALMAS



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Retail store, South West Cor Ocean & Monte Verde. Approx. 2800 sq. ft. + apt. Adjacent to Normandy Inn.  
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### Condo for Sale

#### CONDO FOR SALE

It's no idle gossip, the owner is weak & willing to accept an offer on quiet 1700 sq. ft. stand alone condo. 2B, 2B + den, no stairs, 24 hr. security, clubhouse, dining room, library, pool, bowling green & art studio. \$660,000.

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### Commercial for Sale

#### Travel to France...

*and write it off!*

Beautiful well known country antique French store for sale in CV Village.

Contact Andre at:

**659-4786 or 238-0876**

### Office Space for Rent

SMALL OFFICE SPACE in Carmel. \$390/mo + \$390 deposit. Utilities included. Call Linda (831) 633-3371 10/15

### Pending Investment Patent

Donald Dean Carlson, Inventor. "The Stadium Communities, Inc. Building Fine PATENT 'Ag' Cities". [www.TheStadiumCommunities.com](http://www.TheStadiumCommunities.com) TF

### Vacation Rentals

VACATION & LONG-TERM RENTALS in a resort setting w/plenty of sunshine. Quail Lodge & Carmel Valley Ranch. Peninsula Realty. Call Cecilia @ (831) 236-3915 TF

### Rental Wanted

QUIET CARMEL LADY SEEKS cute guest cottage. Privacy paramount. (831) 625-5393 10/1

LOCAL LICENSED LANDSCAPE CONTRACTOR w/references needs unfurnished rental without vinyl, plastic, animals/dander, fragrance. Also needs compassionate, flexible financial terms, if possible due to recently developed multiple chemical sensitivities. Call Vickie (831) 277-808510/8

### Wanted to Rent

RETIRED PROFESSIONAL couple. No smoking/pets/quiet. Wish to rent reasonable small condo or? in Carmel area. Exc ref. (831) 662-3850 10/1

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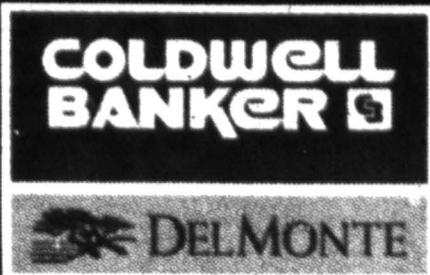
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## CARMEL

**PEACE AND TRANQUILITY!** This 2-bedroom plus den, 2-1/2-bath condo is especially well-located. Backing up to greenbelt with tree-lined mountain views, you'll have privacy yet walk to shopping, banks and restaurants. Swimming pool and tennis court in complex. \$625,000.



**QUAINT CARMEL COTTAGE!** Picture yourself in this quintessential 3-bedroom, 2-bath Carmel cottage. Completely remodeled and updated including a brand-new master suite, granite countertops in bathrooms and kitchen, and new paver driveway and patio. \$1,195,000.

**CARMEL DELIGHT!** Quintessential Carmel cottage on a large sunny corner lot near town. Living/dining room is light and airy with hardwood floors, high ceilings and stone fireplace. Two-bedroom, 2-bath main house and separate guest studio. \$1,125,000.



**PERFECTION WITH FLAIR!** This exquisite home blends style, quality and livability with 3 bedrooms, 3 baths and 2200 sq. ft. Highlights include Carmel-stone hand-chipped entry, exposed beam ceilings, antique pine floors, and elegant master suite with library & balcony. \$1,995,000.

**VISUALIZE THE POSSIBILITIES!** Large private lot with mature landscaping located in the Carmel Point fringe area with 1-bedroom main house and 1-bedroom guesthouse. Short level walk to both beaches, Carmel Mission, and Bird Sanctuary. Make an appointment to visualize the many possibilities. \$1,450,000.

**WHIMSICAL RETREAT!** Nestled in a beautiful oak tree setting near town, this architecturally designed cottage is the ideal spot to relax and enjoy life. Two bedrooms, 2-1/2 baths, finished bonus room, high ceilings, French doors, interesting niches and interior detailing. \$1,649,000.

## BIG SUR



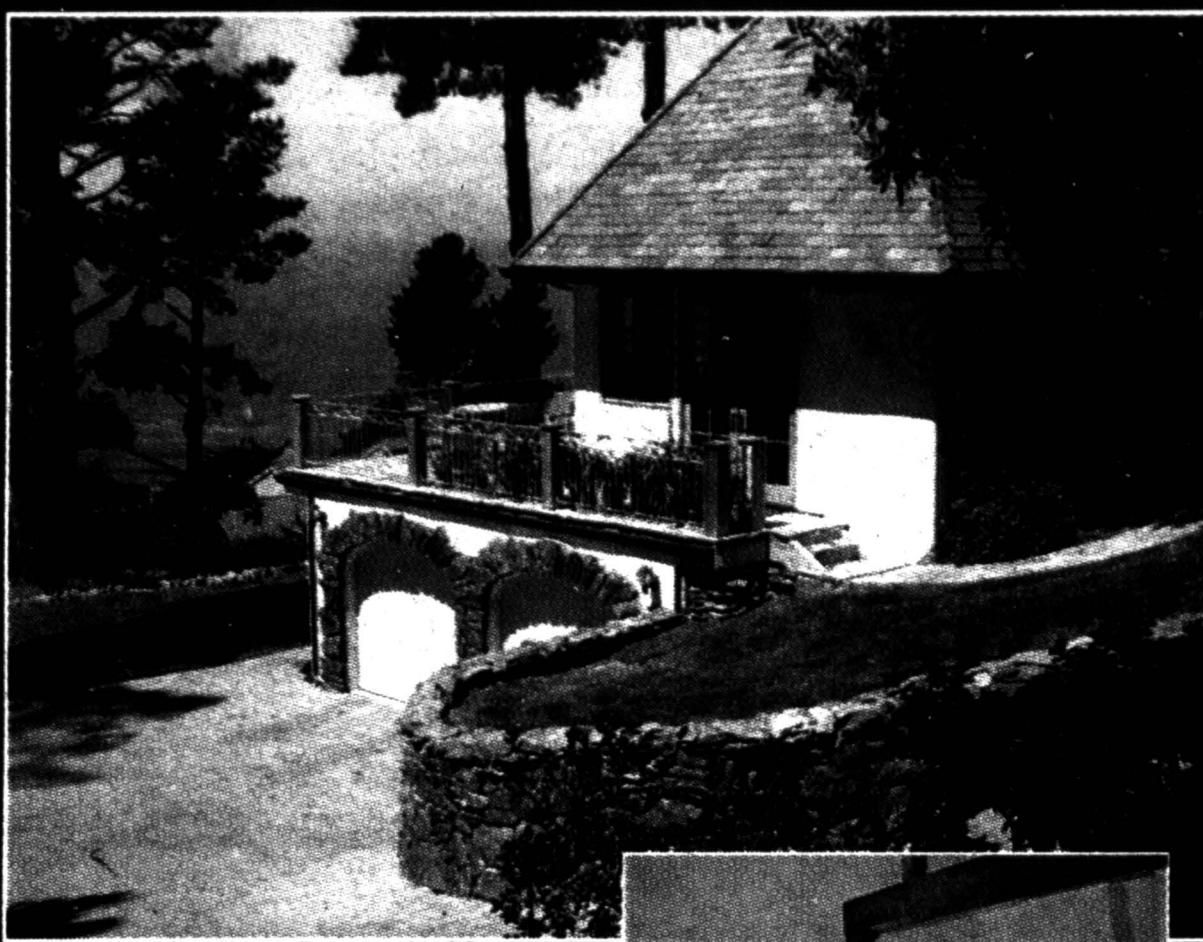
**"THE OLD BRADFORD PLACE!"** Ocean and canyon views provide breathtaking beauty to this, all new construction, home. Comfort of every efficiency, paved roads, and the gated community of Partington Ridge fashions

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## Carmel Highlands...

here art and nature combine  
to form a place of incredible beauty.



## Dramatic Ocean Views!

Boasting expansive ocean views is a John Mandurrago designed French country 4700 sq. ft. home exquisitely completed only four years ago. Special features include custom woodworking for all the cabinetry, doors, and honed beams, and walnut and pillowed sandstone floors. Spacious rooms include a formal dining room, professionally-equipped kitchen, 3 bedrooms, 3 baths, family room, workshop/studio and two-car garage. \$2,995,000.

these 2.1 acres. With kitchen, bath, laundry and patio. \$3,100,000.

## CARMEL HIGHLANDS



**ARTIST'S RETREAT!** This ocean-view home and artists' studio/guesthouse are serenely sited with most rooms capturing sweeping views of forest and sea. Three bedrooms, 2-1/2 baths including the master suite with office, gated entry, parquet floors, Dutch doors, patio and decks. \$2,240,000.

**OCEAN & FOREST VIEWS!** Architecturally designed French Plantation-style home on one acre with sparkling ocean, forest and sunset views. Elegant sea-view living & dining rooms, and gourmet kitchen. Lower level has office, partially finished area, a half bath & workshop. \$1,995,000.

## CARMEL VALLEY

**VALLEY & OCEAN VIEWS!** Enjoy dramatic views to the ocean from the living areas of this well-maintained 3-bedroom, 2-bath home in Mid-Valley. Featuring separate living and family

## LOCAL TRADITIONS • GLOBAL CONNECTIONS

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Ocean 3 NE Lincoln  
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CARMEL RANCHO  
3775 Via Nona Marie  
626.2222

PACIFIC GROVE  
501 Lighthouse  
626.2226

PEBBLE BEACH  
The Shops at The Lodge  
626.2223

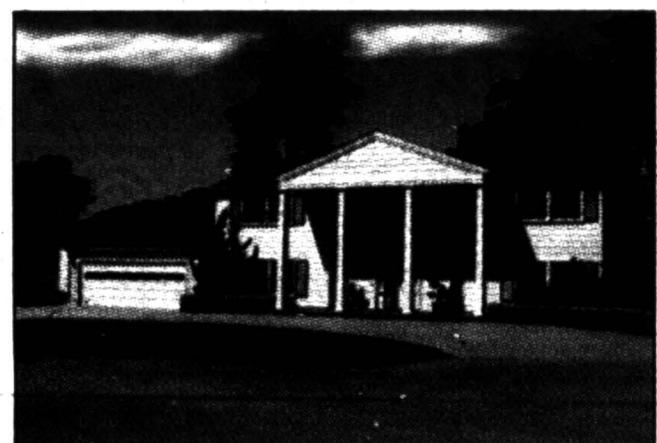
## PACIFIC GROVE



**RARE MIXED USE BUILDING!** This property offers opportunity for a wide range of uses! A Victorian-style building, zoned R-4, for single family or multi-family residential, office, retail, and others! Recently upgraded and located on the edge of the business district. \$1,400,000.

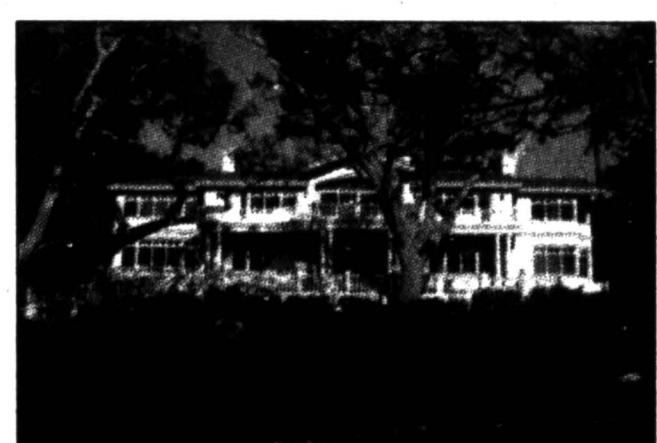
## PEBBLE BEACH

**PERFECTION IN PEBBLE BEACH!** A fabulous brand-new home just .5 miles to the ocean. Offering about 3100 sq. ft. of exceptional quality and ambience with soaring two-story entry, walls of glass, limestone floors, crown moulding, and gourmet kitchen. Estimated Fall completion. \$2,995,000.



**LANDMARK FAIRWAY HOME!** At the 18th hole of the Shore Course of MPCC, this home has everything a Pebble Beach buyer could desire: location, golf course views, 4200 sq. ft. and a timeless, traditional design. Formal dining room, family room, 4 bedrooms and 4-1/2 baths. \$2,300,000.

**OUTSTANDING RETREAT!** Luxury condominium in gated enclave with sweeping ocean views from all major rooms. Designed to maximize the ocean view with high ceilings and lots of glass. Three bedrooms and 3-1/2 baths including an expansive master bedroom suite with marble fireplace. \$3,175,000.



**PEBBLE BEACH AT ITS FINEST!** This spectacular ocean view, gated 6-bedroom, 5+ bath Mediterranean is within walking distance to The Lodge. It offers a generous 11,500 sq. ft. of living space on approximately 1.7 landscaped acres. \$13,750,000.

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